Recd copy of Bowers report of the Student Union fire & related fires

FILE-NO.

PAUL H. NIEWALD

ATTORNEY AT LAW

4059

KAS STATE

GORDON, ADAMS, NIEWALD & RISJORD

BALTIMORE 1-5044

3100 TRADERS BANK BLDG.

KANSAS CITY, MO. 64106

LAW OFFICES
GORDON, ADAMS, NIEWALD & RISJORD
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KANSAS CITY, MISSOURI 64106

NORMAN P. GORDON
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JOHN C. RISJORD
MICHAEL E. WALDECK
THOMAS F. GORDON
JOHN S. GORDON

July 31, 1970

BALTIMORE 1-5044
AREA CODE 816

Mr. Lloyd Davies
1645 W. 19th Street
Lawrence, Kansas

Re: Kansas Student Union Fire
Our File: 4718

Dear Mr. Davies:

We are enclosing copies of your statement in the above matter, as well as the photograph.

We appreciate your assistance.

Very truly yours,

GORDON, ADAMS, NIEWALD & RISJORD

Paul Niewald
Paul H. Niewald

PHN:mn
Enc.

Separate Statements
4 pages
11 pages

STATE FIRE MARSHAL DEPARTMENT
THE STATE OF KANSAS
TOPEKA

INVESTIGATION FILE NO. 9058 KANSAS STATE FIRE MARSHAL

INVESTIGATION REPORT

Check One: ☐ Preliminary ☐ Supplementary

From: Lloyd M. Davies DSFM

To: State Fire Marshal Russell Collins

May 31, 1970

Case No.

Subject: News Items Topeka Capital Journal

42 Topeka Capital-Journal Sunday, May 31, 1970

48 Fires Set In Lawrence During Spring

By DAN HAMRICK

LAWRENCE (AP) — This community, nestled in a placid setting in the Kansas River valley carries a slogan derived from Quantrill's raid a century ago: "From Ashes to Immortality."

And Lawrence, with 32,000 permanent residents and 18,000 students, has been the scene of four dozen set fires this spring, Lloyd Davies, deputy state fire marshal, said.

The most spectacular blaze caused $2 million damage April 20 to the Memorial Union at the University of Kansas.

Led to Decision

The fire led to a decision by Gov. Robert Docking to send National Guardsmen into the community and resulted in demands that something be done to end the turmoil on the campus.

From it has flowed countless rumors about who is most to blame for the fire and the atmosphere that produces arson.

"Our office has to act on facts and I don't speculate on them until I get them," said Daniel Young, Douglas County attorney. "We've got all kinds of groups here that may espouse burning or could effect burning by appealing to some nut."

Young Home Bombed

Young's home was the target of one fire bomb. Other fires have been set at the home of a county judge, twice at a savings and loan building and at a downtown furniture store.

Matthew Baumann, 18, a university freshman from Atkinson, was charged with first-degree arson in connection with two fires at the home of J. R. Edmonds in Lawrence. Baumann lived at the Edmonds home.

Howard Dean Docker, 21, an employe of the university, was charged with second-degree arson in connection with a fire at the Military Science Building April 21.

Investigation Involves 20

Davies says the investigation of the other fires has involved about 20 people since April.

"I think we can reasonably expect it to be solved. We have information that gives us reason to be optimistic," Davies said.

Davies seems to lean toward the theory ultramilitants may have been involved in the Memorial Union fire.

Fuel Brought In

"I think it (the union fire) was planned. They had to bring in fuel that was not in the buiding. The fuel was a petroleum-type accelerant.

"The fire was set in a cloak room near an elevator and an open stairway. They had an easy entrance and exit. In short, it was a place someone would select in advance."

Shortly after the fire, Chancellor E. Laurence Chalmers Jr. said he thought the fire was the work of a pyromaniac rather than an arsonist.

"An arsonist would pick a target for its significance to disrupt the university," Chalmers said. "A pyromaniac would choose a target for its availability and combustibility. This is the situation at Gamble's furniture store and the Student Union."

Davies Claims Arson

But Davies believes it was the work of an arsonist.

"Arson is a deliberate act to burn. Under the law, to prove arson you have to prove deliberate intent to burn," Davies said, making clear he thinks "deliberate intent" was present in the union fire.

"A pyromaniac has an uncontrollable urge to set something on fire; it can be anything close at hand. All pyromaniacs are arsonists but not all arsonists are pyromaniacs."

Try for Attention

Davies said some radicals say that if they are going to set something on fire, it has to be something valuable so it won't go unnoticed.

He said investigators also have received rumors that someone set the building afire to try to pit one group against another. But Davies indicated he discounts these rumors.

Both Davies and Howard L. Docker of the Kansas Bureau of Investigation said that arson cases are difficult to investigate.

"Any evidence there might have been usually is destroyed," Docker said. In the case of a fire resulting from a Molotov cocktail, he added, the fire melts the bottle and burns the wick.

STATE FIRE MARSHAL DEPARTMENT
THE STATE OF KANSAS
TOPEKA

INVESTIGATION FILE NO. 9058 KANSAS STATE FIRE MARSHAL

INVESTIGATION REPORT

Check One: ☐ Preliminary ☐ Supplementary

From: Lloyd M. Davies, Deouty

June 4,1970, 19

Acting
To: State Fire Marshal Russell Collins

Case No.

Subject: Student Union Fire, KU, Lawrence and associated Fire and Bombings Lawrence, Douglas County, Kansas, April and May 1970.

Briefs in Harrison Case Due in Court by Sept. 1

filed
Jan 6-5-70

The abstract and legal briefs in the case in which Leonard Harrison, 30, of 1005 Ky., is appealing a first degree robbery conviction in a Wichita court, are due in the Kansas Supreme Court on Sept. 1, James R. James, court clerk, told the Journal-World today.

Harrison and five other persons appealed a May 12, 1969, conviction in the Sedgwick County Court of Common Pleas with a jury. The appeal came after a motion for a new trial was overruled.

Penalty on the charge is 10-21 years. It resulted from an allegation that Harrison and seven others forced Andrew Guiterrez, a Kansas City anti-poverty program official, to write checks totaling $662 to pay them consultation fees at a meeting held Oct. 17, 1968, in Wichita.

The other seven are Richard Alexander, Fred Johnson, Henry Davis, Noel Newson and Vernon Pierce, all of Kansas City, Kan., John Manning, Wichita, and Samuel J. Hunt, Topeka. Pierce and Hunt were found guilty of third degree robbery. The other six, including Harrison, were found guilty of first degree robbery.

Because of the amount of testimony in the Wichita trial, which lasted seven weeks, the court reporter was granted additional time in which to prepare the trial transcript, and attorneys for the appealants also were granted additional time to prepare their briefs and abstracts, James said.

Harrison is director of the Ballard Community Center, and also was a consultant-lecturer at Kansas University for the semester which ended last week. He worked with a KU class dealing with black political ideology.

Court Refuses To Reopen Case

Denied
Trunk-5-70

Motions by Andrew I. Rollins and Franklin Cleveland for Kansas Supreme Court rehearing of their appeals from convictions on charges of disturbing the peace were denied Thursday.

The high court on May 7 affirmed the convictions of Rollins and Cleveland and their fines of $50 each.

Rollins and Cleveland were convicted of disturbing the peace in an incident in the student union building at Kansas State University.

The Supreme Court said the evidence showed that Cleveland and Rollins used loud, profane and obscene language at a Marine Corps recruiting stand and disturbed the peace of Jim Reynolds, program director for the student union, and other persons.

J. World (Journal World)
(Lawrence-Daily)

Police Can't Find Accused

J. World 5-6-70

Inability of officers to locate two of the five persons for whom warrants were issued as a result of disturbances on April 13 at the Lawrence High School was given today by Lawrence Police Supt. Richard Stanwix as the reason the two have not been arrested.

Warrants for the two, Mark Dowdell and Jerry (Jake) Mumford, both 20, were issued on April 13 and given to police the next day. During the intervening 29 days, officers have been unable to locate the two, according to Stanwix. The two men, however, have been seen at various times by others.

Mumford is a freshman at Kansas University.

THREE OTHER warrants were issued as a result of the disturbances, with cases pending in municipal court for two of them. The other is a juvenile, and has been remanded to juvenile court, with no decision made as yet on his punishment, if any. He attends Lawrence high school.

The cases pending in city court are against John Spearman Jr., 20, of 1122 W. Campus, with his case scheduled to be heard on May 18, and against Ken White, 20, of 1722 W. 24th. White's case is scheduled for a May 29 hearing.

WHITE IS DIRECTOR of the East Lawrence Community Center, Spearman a KU sophomore.

Another youth, a high school sophomore, Anthony Jones, 18, of 1243 Del., was arrested by police on April 16 at the high school and charged with using profane language. He posted $100 bond to appear in municipal court on April 20, but failed to do so and a warrant was issued for his arrest, which has not been made.

KANSAS STATE DEPARTMENT OF HEALTH
LABORATORY SERVICES

TYPEWRITE OR PRINT PLAINLY (SOFT PENCIL OR BLACK INK)

CHEMICAL EXAMINATION

Material Submitted by STATE Fire Marshal Dept by Davies
Address 211 W 7th - Topeka
Description of Sample "A" fuel from 5 gal Can - B. Fuel from Red 5 gal can - "C" Fuel in Gray 5 gal Can
Senders Number
Where Collected 1345 La. Lawrence
Date Collected 4-24-70
By Whom Collected Davies - Flower - West - Schuremann

Examination Requested:

Adulteration ☐ Alcohol ☐ Blood ☐ Added Color ☐
Preservatives ☐ Extraneous Material ☐ Filth ☐
Fitness for Human Consumption ☐ Poisons ☐ Narcotics ☐

Other (Specify): Control for Exhibits from Union Bldg Fire - 1345 Lawrence Kansas

LABORATORY REPORT

Mode of Receipt In person by L.M. Davies
Container
Amount

Laboratory Number 1669
Date Received 4-27-70
Date Reported 5-8-70

RESULTS OF ANALYSIS

"A" - Flash point, distillation data and study by gas chromatography are consistent with characteristics of fuel oil.

"B" and "C" - resemble gasolines

INVESTIGATION FILE NO. 9058 KANSAS STATE FIRE MARSHAL.

MAY 11 9 54 AM '70 FIRE MARSHAL DEPT.

B. K. Glendening, Ph.D.
Chemist

Nicholas D. Duffett
Director of Laboratories

55-024-5-12-12 8-69-1M

KANSAS STATE DEPARTMENT OF HEALTH
LABORATORY SERVICES

TYPEWRITE OR PRINT PLAINLY (SOFT PENCIL OR BLACK INK)

CHEMICAL EXAMINATION

Material Submitted by Robert Harvey, Kans Bureau Investigation, Topeka

Address Copy To: Lloyd Davies, Deputy, State Fire marshals Office, Topeka

Description of Sample 1 gallon jug (Brown) near full of unknown liquid.

KBI
Senders Number 20-14548

Where Collected Re: Fire, Univ. of Kansas Memorial Union, Lawrence

Date Collected

By Whom Collected Bobby Lee Ellison

Examination Requested:

Adulteration ☐ Alcohol ☐ Blood ☐ Added Color ☐

Preservatives ☐ Extraneous Material ☐ Filth ☐

Fitness for Human Consumption ☐ Poisons ☐ Narcotics ☐

Other (Specify): Identity and comparison with other Fire Samples

LABORATORY REPORT

Mode of Receipt

Container

Amount

Laboratory Number 1630

Date Received 4-23-70

Date Reported 5-8-70

RESULTS OF ANALYSIS

Color of liquid --- Orange-Red

Refractive Index --- 1.4129

Gas chromatography -- Found petroleum oil, probably gasoline

Color, refractive index, gas chromatography and distillation data (report of state Highway Commission) indicate the liquid is gasoline

INVESTIGATION
FILE NO.
9058
KANSAS STATE
FIRE MARSHAL.

MAY 11 9 53 AM '70
FIRE MARSHAL DEPT.

B. L. Glendening, Ph.D.
Chemist

Nicholas D. Duffett
Director of Laboratories

KANSAS STATE DEPARTMENT OF HEALTH
LABORATORY SERVICES

TYPEWRITE OR PRINT PLAINLY (SOFT PENCIL OR BLACK INK)

CHEMICAL EXAMINATION

Material Submitted by State Fire Marshal Dept - Topeka
Address 211 W 7th Topeka
Description of Sample A B C D E F G H I J K L - all from "Cloak" Room Area - 3rd Floor - Wood - Cement Floor & Floor Tile - Oily Water Senders Number
Where Collected University of Kansas - Student Union Bldg. 2nd Floor Date Collected 4-22-1970
By Whom Collected Lloyd M Davis Deputy State Fire Marshal
Examination Requested:
Adulteration ☐ Alcohol ☐ Blood ☐ Added Color ☐
Preservatives ☐ Extraneous Material ☐ Filth ☐
Fitness for Human Consumption ☐ Poisons ☐ Narcotics ☐
Other (Specify): G C test for quality of flammable & Comparison of Cut Samples

LABORATORY REPORT

Mode of Receipt In person by Davis
Container
Amount
Laboratory Number 1631
Date Received 4-22-70
Date Reported 5-8-70

RESULTS OF ANALYSIS

Analysis by gas Chromatography

"A" - Cement - Petroleum oils present, classification not possible

Nothing of significance indicated in samples:

B, C, D, H, I, J, K, L.

Samples "E" and "F" (wood from South half) and "G" tile from South half had several similar peaks, all indicating petroleum oils. Could not positively Classify.

INVESTIGATION FILE NO. 9058 KANSAS STATE FIRE MARSHAL.

MAY 11 10 54 AM '70 FIRE MARSHAL DEPT.

B. L. Gerdeman, Ph.D.
Chemist

Nicholas D. Duffett
Director of Laboratories

23-009 6-12-12 9-67 1M

KANSAS STATE DEPARTMENT OF HEALTH
LABORATORY SERVICES

TYPEWRITE OR PRINT PLAINLY (SOFT PENCIL OR BLACK INK)

CHEMICAL EXAMINATION

Material Submitted by State Fire MARSHAL Dept by Davies. Deputy
Address 211 W 7th Topeka
Description of Sample Metal bucket, foreign To Storage area
F

Senders Number

Where Collected RAMADA INN, LAWRENCE, KS
W 6th Street
Date Collected 4-3-70
By Whom Collected Lloyd M. Davies, FIRE Chief Fred Sanders
Examination Requested:

Adulteration ☐ Alcohol ☐ Blood ☐ Added Color ☐
Preservatives ☐ Extraneous Material ☐ Filth ☐
Fitness for Human Consumption ☐ Poisons ☐ Narcotics ☐
Other (Specify): G C for Identity of Flammables

LABORATORY REPORT

Mode of Receipt In Person by DAVIES
Container
Amount

Laboratory Number 1540
Date Received 4-10-70
Date Reported 4-20-70

RESULTS OF ANALYSIS

Analysis of vapors by gas chromatography did not indicate volatile petroleum products. Some peaks indicate possible paint solvents

INVESTIGATION FILE NO. 9058 KANSAS STATE FIRE MARSHAL

APR 21 9 59 AM '70
FIRE MARSHAL DEPT.

B. C. Glendening, Ph.D.
Chemist

J. M.

Nicholas D. Duffett
Director of Laboratories

33-989-S—12-12 9-69-1M

KANSAS STATE DEPARTMENT OF HEALTH
LABORATORY SERVICES

TYPEWRITE OR PRINT PLAINLY (SOFT PENCIL OR BLACK INK)

CHEMICAL EXAMINATION

Material Submitted by STATE FIRE MARSHAL DEPT by Davies - Dep

Address 211 W 7. Topeka

Description of Sample Wine bottle at window #15 - Wine bottles at E at window #11 - one is East - One is west.

Senders Number

Where Collected "HEALTH" LAB - K.U. CAMPUS - LAWRENCE

Date Collected 4-8-70

By Whom Collected

Examination Requested:

Adulteration ☐ Alcohol ☐ Blood ☐ Added Color ☐

Preservatives ☐ Extraneous Material ☐ Filth ☐

Fitness for Human Consumption ☐ Poisons ☐ Narcotics ☐

Other (Specify): GC for identity of flammables

LABORATORY REPORT

Mode of Receipt Delivered by Lloyd Davies DSFM

Container

Amount

Laboratory Number 1538

Date Received 4-10-70

Date Reported 4-20-70

RESULTS OF ANALYSIS

Analysis of vapors by gas chromatography indicate presence of petroleum products, probably gasoline, in all samples.

INVESTIGATION
FILE NO
9058
KANSAS STATE
FIRE MARSHAL

APR 21 9 59 AM '70
FIRE MARSHAL DEPT.

B. L. Glendening, Ph.D.
Chemist

J. M.

Nicholas D. Duffett
Director of Laboratories

33-995-6—12-12 9-69-1M

KANSAS STATE DEPARTMENT OF HEALTH
LABORATORY SERVICES

TYPEWRITE OR PRINT PLAINLY (SOFT PENCIL OR BLACK INK)

CHEMICAL EXAMINATION

Material Submitted by State Fire Marshal Depat by Lloyd M. Davies, Deputy

Address 211 West 7th, Topeka, 66603

Description of Sample "A"=Debris from floor; "B"=Broken bottle,inside; "C"= Soft detergent-like material; "D"= Broken bottle,outside, north of fence; "E"= broken bottle,outside, south of fence. Senders Number

Where Collected 1035 Penn(Pennsylvania House) KU Endowment,Family & Community Research, FIRE: 7-4-70; 10:42.PM. (Sat) Date Collected 7-4&5,1970

By Whom Collected Davies & Chief Fred Sanders, Fire Dept.

Examination Requested:

Adulteration ☐ Alcohol ☐ Blood ☐ Added Color ☐

Preservatives ☐ Extraneous Material ☐ Filth ☐

Fitness for Human Consumption ☐ Poisons ☐ Narcotics ☐

Other (Specify): G C Test/ to Identify any flammable vapors.

LABORATORY REPORT

Mode of Receipt In person by Davies

Container

Amount

Laboratory Number 26

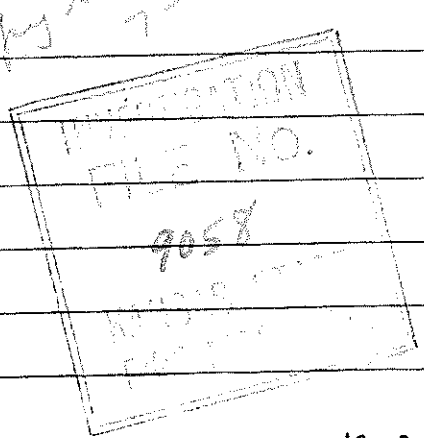
Date Received 7-6-70

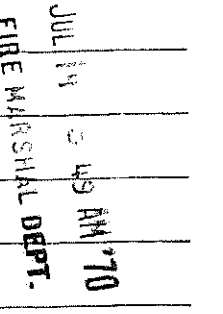
Date Reported JUL 7 1970

RESULTS OF ANALYSIS

Analysis of vapors by gas Chromatography sample B to Nothing of Significance detected samples A, C, D, E all showed presence of vapors of petroleum oils Appear quite similar to gasoline.

copy sent to Dept 7-9-70





B. L. Glendening, Ph.D.
Chemist

Nicholas D. Duffett
Director of Laboratories

jm

53-899 S—35 12 2-69 1M

KANSAS STATE DEPARTMENT OF HEALTH
LABORATORY SERVICES

TYPEWRITE OR PRINT PLAINLY (SOFT PENCIL OR BLACK INK)

CHEMICAL EXAMINATION

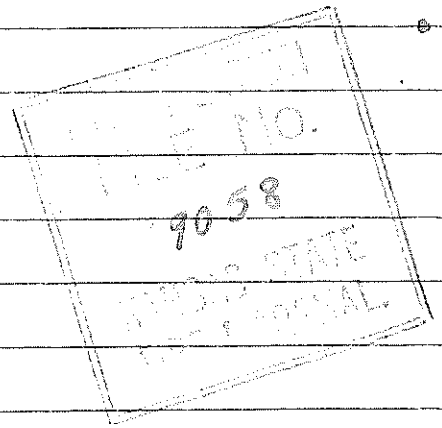
Material Submitted by State Fire Marshal Dept. by Dawson
Address 211 W 7th Topeka
Description of Sample Liquid on floor near pc. of Origin picked up with cotton balls
Senders Number
Where Collected Military Science Shooting Range - KU Lawrence
Date Collected 4-23-70
By Whom Collected Floyd Dawson Dep St Fire Marshal
Examination Requested:
Adulteration ☐ Alcohol ☐ Blood ☐ Added Color ☐
Preservatives ☐ Extraneous Material ☐ Filth ☐
Fitness for Human Consumption ☐ Poisons ☐ Narcotics ☐
Other (Specify): C for flammable liquids

LABORATORY REPORT

Mode of Receipt By Person in person
Container
Amount
Laboratory Number 1629
Date Received 4-24-70
Date Reported 5-8-70

RESULTS OF ANALYSIS

Analysis of vapors by gas chromatography indicated Military Engineers



MAY 11 8 54 AM '70
FIRE MARSHAL DEPT.

B. R. G. Cendoning, Ph. D.
Chemist

Nicholas D. Duffett
Director of Laboratories

KANSAS STATE DEPARTMENT OF HEALTH
LABORATORY SERVICES

TYPEWRITE OR PRINT PLAINLY (SOFT PENCIL OR BLACK INK)

CHEMICAL EXAMINATION

Material Submitted by State Fire Marshal Dept, by Lloyd M. Davies, Deputy
Address 211 West 7th, Topeka, 66603.
Description of Sample Small jar of Liquid from 10 gallon milk can on back porch at 1711 Kentucky St, Lawrence, Kansas. CONTROL for comparison on Evidence in Student Union Bldg Fire, KU, Lawrence Senders Number
Where Collected 1711 Kentucky, Milk can, back porch, occupied by [redacted] (2357 Ridge Crt) Date Collected 4-29-70
By Whom Collected Det Lyle SUTTON, P.D. Lawrence & Lloyd M. Davies, DSFM
Examination Requested:
Adulteration ☐ Alcohol ☐ Blood ☐ Added Color ☐
Preservatives ☐ Extraneous Material ☐ Filth ☐
Fitness for Human Consumption ☐ Poisons ☐ Narcotics ☐
Other (Specify): Identify fuel and make comparison with samples submitted on Student Union Bldg fire.

LABORATORY REPORT

Mode of Receipt In person by DAVIES
Container
Amount
Laboratory Number 1727
Date Received 5-1-1970
Date Reported 5-8-70

RESULTS OF ANALYSIS

Gas chromatography of vapors in jar shows nothing of significance thus indicating lack of volatiles in petroleum products such as gasoline, Kerosene etc.

FILE NO. 9058 KANSAS STATE FIRE MARSHAL

MAY 11 8 54 AM 70 FIRE MARSHAL DEPT.

B. G. Glendenning, Ph.D
Chemist

Jm.

Nicholas D. Duffett
Director of Laboratories

53-809-8—32-12 9-69-1M

KANSAS STATE DEPARTMENT OF HEALTH
LABORATORY SERVICES

TYPEWRITE OR PRINT PLAINLY (SOFT PENCIL OR BLACK INK)

CHEMICAL EXAMINATION

Material Submitted by: State Fire Marshal Dept, by Lloyd M. Davies, Deputy

Address: 211 W. 7th, Topeka, 66603.

Description of Sample: "A" glass gallon jug containing broken bottle, cloth wick, liquid fuel and fuel soaked paper sack; "B" Quart glass jar with small amount liquid; "C" Kerosene "D" Thinner Senders Number

Where Collected: 1546 Rhode Island, [redacted] residence, Lawrence, Kansas

2 fires- April 23 & 24, 1970 Date Collected: 4-23-& 24-1970

By Whom Collected: Asst Fire Chief John Kasberger & Lloyd M. Davies, D.S.F.M.

Examination Requested:

Adulteration ☐ Alcohol ☐ Blood ☐ Added Color ☐

Preservatives ☐ Extraneous Material ☐ Filth ☐

Fitness for Human Consumption ☐ Poisons ☐ Narcotics ☐

Other (Specify): Identify fuel in "A" and "B"; Make comparison with known source in "C" & "D" from Edmonds' work shop.

LABORATORY REPORT

Mode of Receipt: In person by Davies

Container:

Amount:

Laboratory Number: 1728

Date Received: 5-1-70

Date Reported: 5-8-70

RESULTS OF ANALYSIS

Gas Chromatography Analysis

Sample B has considerable resemblance to Sample A in the region recording the less volatile components. The more volatile components of "B" fail to show up in "A".

Samples "C" & "D" give chromatograms of products expected from labels. Their possible presence in samples "A" or "B" is inconclusive.

INVESTIGATION FILE NO. 9058 KANSAS STATE FIRE MARSHAL.

MAY 11 8 54 AM '70 FIRE MARSHAL DEPT.

B. L. Glendenning, Ph.D.
Chemist

Jm.

Nicholas D. Duffett
Director of Laboratories

11-000-5—72-12 0-60-1M

MEMORANDUM

STATE FIRE MARSHAL DEPARTMENT

FROM: Lloyd M Davies Deputy

DATE June 30 1970

TO:

SUBJECT: PIPE BOMBS

Similar to
Pipe Bombs
Judge Chas C Rankin
4-1-70
Cathy Darlington
Anchor Savings Loan

KC Police Arrest 2 With Pipe Bomb

Journal Post 6-30-70

KANSAS CITY (AP) — Two men, one carrying what police said was a black powder bomb constructed with a length of pipe, were arrested today.

The man carrying the pipe was arrested near the Plaza Bank of Commerce on the Country Club Plaza and charged with possession of an explosive device. Police said information in the case was being turned over to federal authorities. They identified him as Arnold A. Stead, 23, a bearded former student at the University of Missouri-Kansas City.

The other man, held in jail on a charge growing out of the ley, 20, also a former student at the university.

Police said both men were members of the local chapter of the Students for a Democratic Society and said both men admitted membership in the Weatherman faction of the society.

Both were suspended from the university last November after a class was disrupted during Vietnam Moratorium activities.

A police detective, Thomas L. Saunders, driving in the plaza district, said he saw Stead carrying a package and drew his revolver when the man indicated he might flee.

Police opened the sack and

Q. First, state your name for us please.

A. Lloyd M. Davies.

Q. Where do you live, Mr. Davies?

A. My home address is [redacted] Kansas.

Q. What is your present occupation?

A. I am deputy State Fire Marshal for the State of Kansas.

Q. How long have you been serving in that capacity?

A. About 21 years.

Q. What is your training in the field of fire investigation?

A. The last 21 years has been daily investigation of fires throughout the State of Kansas. Prior to going into this work, I was doing investigation work as sheriff and under-sheriff of Marion County, Kansas, Marion, Kansas, and attended a number of F.B.I. schools of crime investigation and attended several seminars primarily on arson and fire investigations which were at Purdue University and the Oklahoma University, and of course, the daily exposure to investigation of fires gives quite a bit of experience along that line.

Q. So you have had both the practical experience of doing the work and learning the ropes from the last 21 years, as well as attending some formal seminars where instruction and technics, and things of this nature, have been presented?

A. That is correct.

Q. Okay - Now can you tell us at the present time or during the lastt six weeks what your duties have been in relation to the fire work here in the State of Kansas.

A. Well, since the first of April, I've been investigating fires in the Lawrence, Kansas area - fires on the University of Kansas campus as well as the City of Lawrence, Kansas.

Q. Now, let's first consider the Student Union fire that occurred on April 20 of 1970. Were you called to the scene of that fire?

A. Yes - I was.

Q. And can you tell us about what time you would have arrived at the scene?

A. I think it was approximately 11:00 o'clock when I first had some observation of the fire.

Q. Can you tell us what you could see at the time of your arrival?

A. While en route I was to the area west and did take a photograph of a night view showing flames coming through the roof near a tower. This particular area later turned out to be the area above the cloak room on the third floor of the Student Union.

Q. And you were able to relate that as the area from having observed it that first evening and by your later investigation and inspection in daytime views?

A. That is correct.

Q. Now, as a part of your investigation of the Student Union fire, did you first take photographs or have photographs taken of the burned area?

A. Yes - the night of the fire as soon as it was out, I made a personal, official inspection and investigation of the burned area and the next morning in the daylight hours, we used the Kansas University Photo Department and had photographs made of the immediate area and adjacent areas of the fire scene.

Q. All right - now later we'll get into some of these photographs after I get a copy made, but generally speaking, Mr. Davies, from both your visual observation as well as what's depicted in the photographs, does this assist you in determining the source of origin of the fire?

A. Yes - it does.

Q. And can you describe for us just briefly now this in some manner demonstrates a source of origin?

A. Our experience tells us that the point of origin of a fire is normally where the most excessive destruction has occurred, and in making an inspection as well as taking photographs, it reflects that the heavy destruction occurred in the cloakroom area of this third floor of the Student Union.

Q. Now to your knowledge, is there any normal source of fire in that cloakroom area?

A. There wouldn't be any unusual exposure -- there was electric wiring for lights and heat ducts for heating but there is nothing there of a fire nature.

Q. And from your inspection, did either the electrical wiring or heating system seem to be any source of the Student Union fire?

A. No - we see no connection with those elements in the origin of the fire.

Q. Now some of these photographs that you had taken as well as your observation indicate areas of heavy burning and also some of these photographs indicate a deteriorating condition on the floor. What would be the cause of that? Strictly directing it to the deteriorating, would this indicate heavy burning?

A. From our experience and tests we have made, any fuel or excessive heat on a cement floor will deteriorate or decompose the upper portion of the flooring and that is what we found in an area of irregular design and shape.

Q. And would this indicate to you from your experience that there has been some form of accelerant used that caused this condition?

A. Yes - very definitely so.

Q. In other words, this would not be if a drapery had caught fire or something else had caught fire - this would not be a normal pattern which you would expect to find in this type of a physical setup.

A. Not on this particular type of floor area.

Q. So that the deteriorated condition of the concrete beneath the tile in and of itself indicates the presence to you from your experience of an accelerant of some form?

A. That's right.

Q. Now, is there anything else from physical observation that would indicate the presence or use of an accelerant in this particular area?

A. Yes - the excessive burning of the wood structure of the ceiling materials in this particular area as well as the cement archway over the opening to the cloakroom -- this cement archway shows a heavy deterioration from heat and the structural, steel structural, roof support above this particular area is twisted and pulled out of shape from heat, and the surrounding area doesn't reflect that but the particular area above where the cement floor is deteriorated shows a very marked difference in the way these steel supports are pulled and twisted from the excessive heat.

Q. Based upon the conditions that you found there, is there an indication of the precise area in which the origin of this fire occurred?

A. Yes - that's my opinion that that is where the fire started -- in the cloakroom.

Q. Have you made an examination of the adjacent Pine Room area for instance, and could you tell us whether or not you could exclude this room as the source of original burning?

A. My opinion is that you can exclude the PIne Room, based mainly on the fact that a lot of the paneling of the Pine Room is still intact and the pictures on the north wall were not damaged, and the fire damage to the ceiling and the sides shows that the fire had burned in a downward position from the attic area downward, rather than starting within the room itself.

Q. Incidentally, Mr. Davies, there is a pattern of burning that you look for, both as to burning up and down and as to burning through a wall or from the other side of a wall, is that correct?

A. Yes - that's right.

Q. And in examining the Pine Room, you were able to tell because of the lack of burning on some of the paneling and pictures there and the source of where it came from, that it had gotten into the Pine Room from outside the Pine Room?

A. That is correct.

Q. Now, did you remove any material from the cloakroom area for purposes of having tests or analysis made of it?

A. Yes - part of the cement floor where this excessive damage occurred, pieces of concrete in the flooring and some of the baseboards adjacent to it - were secured for laboratory examination as well as the 2 x 4 base part of a partition through the cloakroom.

Q. And was this either done by you personally or under your direct supervision?

A. I made the examination myself - I cleaned out the debris and saved the material and prepared it for delivery to the laboratory myself.

Q. After you personally delivered this to the laboratory, was there an analysis or chromatograph test performed?

A. Correct.

Q. And do you know the results of that test generally?

A. Yes - we studied the charts as well as the written report which show that there was a petroleum product present in this particular area.

Q. And was there any source of petroleum product to be present in that particular area except to have been brought in by some person or persons?

A. There was nothing in there stored or should have been in there normally so this shows that there was material carried in of a petroleum nature.

Q. Based upon your inspection and your review of the various photographs and based upon your experience, do you have an opinion, Mr. Davies, as to the cause of this particular fire?

A. Yes, I do have.

Q. Would you state that opinion for us please.

A. My feeling is that the fire was deliberately started with the aid of some petroleum product as an accelerant.

Q. Based upon your determination that this was a fire of incendiary origin, have you conducted an additional investigation in conjunction with other authorities in Lawrence, Kansas to seek to determine the person or persons responsible for that fire.

A. Yes, we have.

Q. Mr. Davies, preceding the Student Union fire at the University, particularly on the day or evening of April 20, had there been any other incidents in the nature of disturbances or fire, or things of an unusual nature?

A. Yes, I was called for some damage at the Senior High School which is over on 17th and Louisiana at the Administration Building. I was notified about this damage about 9:30 P. M. and found that there were three window panes that had been broken with pop bottles or wine bottles and the drapes at one of the windows had been set on fire. This was all at the Administration Building on the south part of the high school grounds. Then after photographing and picking up the broken pieces of pop and wine bottles, I went over to the high school proper and observed and photographed where fire had occurred to the bulletin board in the main lobby of the high school. This is in the same lobby as the entrance to the auditorium at this high school.

Q. Now in the course of the investigation of those incidents at the high school, did you learn of any difficulties or different views between any groups at the high school?

A. The investigation at the high school showed that the black students had made certain demands on the administration and a poll by the enrollment of the high school students had turned down this demand by an overwhelming vote on this particular Monday and the black group was meeting with the School Board in the auditorium just prior to this damage to the Administration Building and again they did not get all their concessions, and while this meeting had been fully concluded in the auditorium, the windows and the fire started in the Administration Building on the high school campus.

Q. Now as a result of that confrontation, were the police called to the scene?

A. Yes - they were in the area.

Q. And was there any experience of difficulty after the police arrived?

A. I don't have that information.

Q. In your investigation concerning the high school fire incident, have you obtained any information that might indicate who could have been involved in the setting of that fire?

A. We have a neighbor right to the south of the high school that noticed the fire burning at the Administration Building and shortly thereafter there was a red Corvair occupied by three black males pulled into his driveway and backed out and one of the occupants got into a red Plymouthcar which ~~xxx~~ had been partially parked in this man's driveway. Both automobiles then sped back east in kind of a hurried manner.

Q. Now, Mr. Davies, during the period of time immediately preceding the difficulty at the high school as well as the Student Union, had the authorities here in Lawrence, Kansas been having difficulty or being involved at the high school?

A. Yes, there seemed to have been daily confrontations at the high school between the black and white students, and utilized practically all the police and sheriff's department to keep things peaceful.

Q. Did this seem to be of a racial nature then?

A. I think very definitely it was that the black students felt they wanted certain things done at the high school that hadn't been done.

Q. Now in addition to the difficulty at the Lawrence High School, particularly on April 19 or 20, were there any other fires or incidents of an unusual nature?

A. Yes - This high school damage of the Administration Building and in the lobby of the main high school and from there it went to the Union Building where this fire was in progress on the top floor and while there, I was notified about the Woods Lumber Company on West 6th Street here in Lawrence that had been set on fire. These all occurred from about 9:13 P. M. to 11:06 P. M. on April 20, 1970.

Q. And was the Woods Lumber Yard a fire bombing or set fire of some king?

A. Yes - it very definitely had some petroleum product used to start a pile of flooring material out in the yard area.

Q. Let's back-track a little bit in the Lawrence community. When was the first fire or incident of an unusual nature preceding this difficulty in the middle of April at the Union?

A. On April 1, we had a fire of - at the Ramada Inn on West 6th Street near Lawrence and we feel it was an arson case - and then on the same date, April 1, the home of [redacted] who lives at [redacted] - a fire bomb had been thrown through the front door of [redacted] home and the explosion did a lot of damage -- no particular fire damage but much damage of an explosive nature.

I have a list made up of the unusual fire and bomb damage in Lawrence beginning the first of April. We had the Ramada Inn which did several hundred dollars worth of damage; on April 7, the Hayward Hall on the campus which was being torn down, a fire was definitely started in it by arson intent; the same night, the Anchor Savings at 9th and Ohio had a fire bomb explosion. This fire bomb was similar to the one in [redacted] home on the 1st of April. Then just past midnight of April 7, we had three fire bombs thrown at the Health Laboratory on the south part of the KU campus. Fortunately, none of this got inside but one of the rooms that was attacked had a bottle of oxygen as well as petroleum naptha stored in there which would have been a very destructive fire. We had a fire April 11 at the Kappa Sigma Fraternity that was very suspicious and on the border of Arson. The same time that the Kappa Sig fire came in, there was a trash container set on fire behind the Flynn Hall on the campus here at K. U.. This would be on the opposite area and may have been used as a decoy. That same night of April 11 about 10:00 o'clock or 10:17 P. M., the fire was set in some shrubbery on the Campanille site -- and it destroyed several nice large shrubbery and one pine tree which damage will run into several hundred dollars.

On April 14, fire was set in the three-story building at a residence apartment house at [redacted] owned by [redacted] On the next night, April 15, we had a fire started by fire bombs at the Gamble Store at 9:30 Massachusetts Street which is the heart of downtown Lawrence.

Q. What would be your judgment as to the amount of damage at Gambles?

A. Gambles will run into $20,000 to $30,000, I imagine, maybe more than that.

Q. Now you have mentioned in reference to Gambles that there was evidence of fire bombing. Can you tell us a little bit more in detail what evidence you found there to indicate this?

A. The witnesses tell us that they had been seen at least two subjects behind the Gambles Store in the alley looking like they were throwing something -- and they heard glass break and the fire inside the store -- and another subject made a motion of throwing something and the fire seemed to be on the outside of the building. After the fire was put out, we did find the remains of some broken coke bottles on the outside of the building.

Q. Has it been your experience that when we are speaking of fire bombings, that bottles are used as a means of making a bomb of some king?

A. That's correct. ~~Xhm~~ A glass bottle of some nature has the flammable liquid inside and a cloth as a wick, and those are the normal type of fire bomb that we have experienced around the State of Kansas.

Q. Was there anything else in the Gambles investigation that would indicate this was arson to you?

A. Well, there was a very excessively total loss on the building and the fact that these subjects were seen leaving the area. We found noth ing in the back part of the store from the standpoint of storage or materials in there that should have effected any kind of an accidental fire.

Q. Proceed with the next one, Mr. Davies.

A. We had a number of false alarms interwoven amongst the calls~~m~~ of actual fires. We had on the 17th of April, the Red Dog Club at 644 Massachusetts Street -- a small fire there that was started by some individual. Of course, on the 20th of April, we had the High School Student Union and the Woods Lumber Company fires add on the 21st of April, we had another fire at this 1225 Oread -- which is the apartment house that had been occupied primarily by ~~xx~~ the Hippie type of people. The owner had wanted to get the place vacated because of not paying the rent and such and the utilities were all turned off by the owner. As a result, there was tar poured all over the floor of the first floor level and in the kitchen, big pools of roofing tar all over the carpeting and through the living room and hallway, and also, buckets of paint had been poured out on the floor of the sunroom, there were big quantities of paper scattered around through the area, indicating possible revenge by the particular occupants who were primarily the hippie type of individuals. This 1225 Oread address is about a half block north from the Student Union on the campus. We have had a number of fires nearby the Union in and around apartment buildings, purposely set trash and bonfires which have been piled up and set on fire by either the hippie or the black student group. Some of these are not actually enrolled but are living in that particular area.

Q. Now then on the 21st, can you continue with those now?

A. On the 21st of April, we had a fire bombing in the 1300 block on Tennessee and a couple of hours later there was a vacant school building on 7th and Lincoln which is in the northeast part of Lawrence and it was set on fire. This particular fire took all the fire equipment and part of the~~x~~police from the campus area and the downtown area and left them unprotected for a period.

On April 22nd, we had the fire bomb thrown in the basement of a vacant house at 946 Ohio. The same night, we had a fire against set at 1225 Oread. On the 21st, we had a garage fire-bombed at 1301 Ohio. This is just about two blocks east of the Student Union Building.

On April 24, we had a very severe fire on the stage curtain area of the Auditorium. This was on the third floor of the Strong Hall used as an administration building on the K. U. campus.

Q. How was that fire started?

A. We are convinced that it was an intentionally set fire. We are not positive yet whether some flammable materials were used or whether there was just a fire set to the curtains. The old type of curtains were there and will ignite with a match or a flame. Of course, we did have the Military-Science Building on the 23rd of April and again on the 23rd, we had a trash container behind the Strong Hall set on fire. About noon on the 23rd of April, we had a fire bomb thrown in the back door of a residence at 1546 Rhode Island and the same dwelling had a fire on the third floor around midnight of the same day. This also was started by an arsonist.

On the 23rd of April, a little before 6:00 o'clock, the Army Surplus Store at 740 Massachusetts, which is in the downtown part of Lawrence, had found some of the clothing on fire where cigarettes had been left in amongst the stock on the displays. This was not an accident -- apparently someone had purposely used the cigarettes in the manner in which they were left there.

About 9:00 o'clock on April 23, the fire-bombing at the Rook's Bevera[illegible] Store at 715 New Jersey occurred. This is in the east part of Lawrence south of the river.

About 9:00 o'clock on April 23, we had fire-bombing at the Rogers Electric Company at 512 East .

Q. What was the approximate amount of the loss there at the Rogers Electric Company?

A. The loss as we have it is about $12,000 to the building and $10,000 to the contents.

Q. And what was the evidence to support the fire bombing there at Rogers Electric Company?

A. We found a wine bottle that had flammable liquid in it with an odor similar to gasoline and there was a kotex wrapped to the outside of this b ottle and secured with electrician's black tape. This definitely was prepared and was never ignited but apparently dropped in the alley but the fire had started through a window from the alley side. At this particular time, one of the owners was standing guard and he reported to have seen two black subjects run up the alley after the fire started and got into a car and sped away northward from this location. He did take several shots at the individuals with shotgun while they were on foot and with his pistol after they had gotten into the car. But it was definitely - very definite - that it was a fire bombing

effort on this particular location. Also, later on that same evening, a half an hour or so later, we had some damage by fire b ombing at 724 Connecticut which is also in the east part of Lawrence just south of the river. ~~We have had a number of fires in the fraternity house~~

At the location of 1144 Louisiana, there have been some outside fires in trash and old mattresses and then a number of fires inside the fraternity. This 1144 Louisiana is a block east and about two blocks north of the Union Building. And on the 24th, we had some more fires in the 1225 Oread location. The fire bomb/~~found~~ was under a pillow and when we refer to fire bomb, its a bottle with flammable liquid and a wick of some ~~agency~~ nature.

On April 18, we found two bottles with flammable liquid, these being gasoline and the wicks with all preparation, at the ~~Chick~~ Schick Winner Chevrolet garage which is a block ~~we~~ east of the main street of Lawrence.

This same day of April 18, some pipe bombs were found along a rock retaining wall at 1247 Ohio and these pipe bombs were made up of gas pipe nipple about six inches long threaded on both ends and capped. There was a small hole drilled in the threaded end - one end of the nipples - and a fireworks similar to an M.E. placed in there and the wick protrudes out the side of the pipe. The pipes were filled with a rifle powder. These are identical to the type of bombs and powder found at the [redacted] home and also at the Anchor Savings and Loan.

the fires that started at 1144 Louisiana and May 3 we had another fire on the third floor of 1225 Oread. On My 4 there was a fire in trash at the Viking Investment at 2400 block on West 24th. It was near an apartment building. In the early morning of May 7, we had a fire start on the side door of the New York Cleaner Rug Division. This is located at 925 New Hampshire. This is across the alley and a little bit north from where the Gamble store is located. This was definitely a fire bomb -- we found the remaining bottle and there was nothing there to start the fire except an intentional fire. ~~There~~ There was a group of hippies in a black panel truck seen in the area ten to fifteen minutes prior to discovering the fire.

Then we have another set of fires concerning 1144 Louisiana. In the early morning of May 9, we had a fire in Kroger's downtown store, heavy loss to the stock and equipment running several thousand dollars, however, we believe this fire to have been caused by the night watchman who was staying inside the building.

On May 12, we had a terrific power bomb explosion at the Anchor Savings and Loan Company at 9th and Ohio and this occurred at a little after 10:00 P. M.

Q. About how much damage was done down there, Mr. Davies?

A. They estimated $10,000.00 to the building and several thousand dollars to the equipment, such as desks, adding machines, and such as that.

Q. What evidence of the fire bombing was there at the Anchor Savings?

A. There was the remains of a black powder on the white brick as well as some of the metal of the desks and office equipment. The concrete floor where the bomb apparently was set was severely pulverized and we found pieces of what looks to be attache case, including the handle and the hinges and such were inside the building, and then we found black vinyl type material inside the building as well as large numbers of pieces all over the parking lot to the south of the building. Then we have witnesses that had seen what they believed to be a fire burning at this particular area and they called the Fire Department and before the Fire Department got there, the bomb exploded. Now they observed a white male come up to this fire that they saw burning and lean over it and then leave in a hurry. Now he was not the long-haired, hippie type -- he had hair reasonably long but not clear down to the shoulder length.

Then May 14, a little after midnight, the county attorney, [redacted], home at [redacted] was pipe-bombed and the pipe was thrown against the window, the screen was torn but the pipe didn't go inside but rolled back and went off the edge of the porch and drove big pieces of the pipe into the side of the home as well as a piece of it went across the street south inside the fraternity house which was across Tennessee. The evidenc e of the bomb would be this metal pipe and this rifle powder type material. This bomb would be about the same size as the bomb at the Anchor Savings. It was a larger diameter pipe than what was used on [redacted]'s home.

And we had some trash fires on the 19th of May at the west campus address of 1309. These are still up in the K. U. Campus general area and again at this fraternity at 1144 Louisiana on the night of the 21st of May, and again at 1:40 P. M. on the 22nd of May we had a series of three fires on the third floor of this fraternity. These were separate fires and were set in trash that was within the fraternity itself, and on the 23rd we had some more of the trash set on fire in the trash dumpsters which the city has around at different locations for trash to be gathered in. This 24th, we had fire behind the Kroger family store down on west 23rd. This was on the outside of the building but appeared to get started with trash and not particularly accidental in nature.

On Saturday night of May 3, we had a fire that was started in the basement of [redacted] at 1515 Rhode Island. We found wooden matches in the basement which were foreign to the premises and an outside entrance to the basement -- the door was left open -- which made easy access. This may not fit into the pattern that we have had in Lawrence and may be a juvenile vandalism.

Then on early Sunday morning May 31, at 2:52 in the morning, Everett-Brothers Storage wood building at 10th and New Jersey, we believe, was fire bombed. This building had no electricity and no heating and the whole front end was burned out and the fire was burning out the front and going up over the roof when the fire trucks arrived. ~~This~~ ~~was~~

This is about the scattered areas - there have been over 50 incendiary fires of one nature or another in Lawrence and on the campus of K. U. since the first of April up to the present time.

Q. Is this considered by you to be extremely out of the ordinary, Mr. Davies?

A. Oh, yes, this is a very aggravated situation.

Q. And from these number of incidents and your investigation, does there appear to ~~m~~ you, in your best judgment and opinion, to be a plan of setting fires and of general disruption and disobedience?

A. Yes, it seems to be ~~xxxxxxxxxx~~ - it is my opinion that it is concentrated on the campus and they come down into the city and make to add to the disruption. During these fire interruptions, etc., the Military Science Building had heavy damage to ~~xxxx~~ its windows being knocked out by rocks and other objects by a group of students and non-students that had gathered.

Q. Does your investigation in your opinion conclude that this widespread damage that has been occurring and the intentionally set fires ~~xxxxx~~ were caused by both the black groups and the white activist groups?

A. I believe it is - that both the black and the white have been involved.

Q. Has there been since the period of the first of April until close to the first of June - been a general feeling within the Lawrence community, and in particular the University community, of turmoil and disruption?

A. Well there very definitely has been this disruption and apprehension of impending additional damage ~~xxx~~ by bombing and fires, etc.

Q. Now as a result of the occurrences, particularly right around April 20 of 1970, was it necessary for the mayor of the City of Lawrence to issue a proclamation and for the governor of the State of Kansas to issue a curfew?

A. Yes, ~~xxx~~ it was. It lasted about three or four nights, I believe it was.

Q. ~~Xxxx~~ Was it necessary for the National Guard to be called out by the governor?

A. Yes.

Q. And were they activated to the City of Lawrence?

A. That's correct. The Highway Patrol also was in the area.

Q. Did tensions seem to be existing on the campus and throughout the community as a result of all these incidents?

A. Yes, it was.

Q. And you observed this from your daily investigation and being around in the area?

A. That's right.

LLOYD M. DAVIES

KANSAS UNIVERSITY STUDENT UNION FIRE

LLOYD M. DAVIES, of lawful age, being sworn and examined by attorney Paul H. Niewald, deposeth and saith:

Q. State your name for us please.

A. Lloyd M. Davies.

Q. Where do you live, Mr. Davies?

A. My home address is [redacted] Kansas.

Q. What is your present occupation?

A. I am deputy State Fire Marshal for the State of Kansas.

Q. How long have you been serving in that capacity?

A. About 21 years.

Q. What is your training in the field of fire investigation?

A. During the last 21 years, I have made daily investigation of fires throughout the State of Kansas. Prior to going into that work, I did investigative work as sheriff and under-sheriff of Marion County, Kansas, Marion, Kansas, and attended a number of F.B.I. schools of crime investigation and seminars dealing primarily with arson and fire investigations which were conducted at Purdue University and Oklahoma University. Of course, the daily exposure to investigation of fires has given me considerable experience along that line.

Q. Directing your attention to the University of Kansas Student Union fire that occurred on April 20, 1970, were you called to investigate that fire?

A. Yes, I was.

Q. Can you tell us, Mr. Davies, about what time you arrived at the scene of the Union fire?

A. I think it was approximately 11:00 o'clock p.m. when I first had some observation of the fire.

Q. Can you tell us what you could see at the time of your arrival to the scene?

A. While en route, I was approaching from an area west of the Student Union building and took a photograph of a night view showing flames coming through the roof near the Union tower. This particular area later turned out to be the area above the cloak room on the third floor of the Student Union building.

Q. Now, as a part of your investigation of the Union fire, did you obtain photographs of the burned area?

A. Yes - the night of the fire as soon as it was brought under control I made a personal official inspection and investigation of the burned area and the morning of the 21st had photographs made of the fire scene.

Q. Mr. Davies, do the photographs showing what you personally observed assist you in demonstrating the source and origin of the fire?

A. Yes, they do.

Q. Can you describe for us in what manner these photographs assist in demonstrating the source or origin of the fire?

A. My experience is that the point of origin of a fire is normally where the most excessive destruction has occurred and in making my inspection at the Union building the heavy destruction occurred in the cloak room area on the third floor.

Q. Now to your knowledge, was there any normal or other source of fire of an accidental nature in the cloak room area?

A. There wouldn't be any unusual exposure except there was electrical wiring for lights and heat ducts for heating.

Q. From your inspection, did either the electrical wiring or heating system appear to be a source or origin of the Student Union Fire?

A. No, I see no connection with those elements in the origin of the fire in this case.

Q. Did you find any evidence of excessive heat in the cloak room area?

A. Yes, deterioration of the cement floor beneath the tile in the cloak room area was observed and in addition there was deterioration of the cement at the archway entering into the cloakroom area as well as evidence of excessive burning to the wood portion of that area and extreme heat as evidenced by twisting of steel in the girders above the area.

Q. Mr. Davies, I will hand you what has been marked as Exhibits 1 and 2 and ask you to tell us what they show and what they demonstrate.

A. Exhibits 1 and 2 show an area of cement or concrete which has deteriorated from exposure to excessive heat and it was in this area that I removed some residue after the fire which was submitted to the laboratory for chemical analysis. The analysis demonstrated the presence of a petroleum product in that area.

Q. I'll now hand you what has been marked as Exhibit 3 and can you tell us what this shows?

A. Exhibit 3 again shows deterioration of the cement area beneath the archway to the cloak room entrance and also shows severe burning to some of the wood members.

Q. I'll next hand you what has been marked as Exhibit 4 and can you tell us what this demonstrates?

A. This again demonstrates the evidence of severe heat to the cement area surrounding the archway entering into the cloak room area.

Q. I'll next hand you what has been marked as Exhibit 5 and can you tell us what this shows?

A. Exhibit 5 shows the excessive application of heat in the area of the cloak room as evidenced by the complete burning through of the wood members and twisting of a steel girder.

Q. I'll next hand you what has been marked as Exhibit 6 and ask you to tell us what that shows.

A. Exhibit 6 shows the severe intensive heat as shown by the twisting of steel girders.

Q. Now, Mr. Davies, can you describe for us what significance is shown by these photographs?

A. It has been my experience and knowledge gained through tests that when a fuel or accelerant is used, excessive heat is created to the area and a cement floor will deteriorate or decompose as that which we found in the area of irregular design and shape shown in the photographs.

Q. Mr. Davies, of what significance are the additional photographs of the wood structure, steel supports and archway?

A. The excessive burning of the wood structure of the ceiling materials in this particular area as well as the cement archway over the opening of the cloak room showing a heavy deterioration from heat and the twisting and pulling out of shape of the structural steel roof supports all being in the area of the cloak room shows the presence of excessive heat in this area as opposed to any other area where the fire was involved.

Q. I'll next hand you Exhibit 7 and can you tell us the significance of that photograph?

A. Exhibit 7 shows the interior wood panelling and a picture and the lack of burning from the interior of that room which was immediately adjacent to the cloak room area so that the fire damage that occurred in the Pine Room area had its source from outside of the Pine Room. This opinion is based on the facts that the panelling and pictures on the North wall were not damaged and the fire damage that did occur to the ceiling and the side walls show that the fire had burned in a downward position from the attic area rather than starting within the room itself.

Q. I'll next hand you Exhibit 8. Can you tell us the significance of that exhibit?

A. Exhibit 8 shows extreme charring and burning to the restroom door which would be facing the cloak room side which again demonstrates that the origin of the fire occurred in the cloak room area. The other side of that door was not burned which is further confirmation of that fact.

Q. I'll next hand you Exhibit 9. Can you tell us what that shows?

A. Exhibit 9 shows the area of the roof as being more severely burned through in the general area of the cloak room portion of the building which is further indication of the location of the origin of the fire.

Q. Now, Mr. Davies, you indicated before that certain material or residue had been removed from the cloak room area for the purposes of analysis.

A. That is correct. Part of the cement floor where this excessive damage occurred, pieces of concrete in the flooring and some of the baseboards adjacent to it were secured for purposes of laboratory examination as well as the two-by-four base part of a partition through the cloak room.

Q. And was this done by you personally, Mr. Davies?

A. I made the examination myself cleaning out the debris and saving the material and prepared it for delivery to the laboratory.

Q. I'll hand you Exhibit 10 and ask you to tell us what that shows?

A. Exhibit 10 shows the area and myself as I removed certain portions of the residue for analysis.

Q. I'll next hand you Exhibit 11 and ask you to tell us what that demonstrates.

A. Exhibit 11 again shows the area in which I removed the residue which is the same area in which the deterioration of the concrete or cement occurred.

Q. Now, as a result of your furnishing these materials to the laboratory, was there an analysis or chromatograph test performed?

A. Correct.

Q. Do you know the results of that test generally?

A. Yes. We studied the charts as well as the written report which show that there was a petroleum product present in this area.

Q. I'll next hand you Exhibit 12 and ask you to identify that.

A. Exhibit 12 is the copy of the laboratory report furnished to me.

Q. Now, Mr. Davies, was there any source of a petroleum product to be present in this particular area except to have been brought in by some person or persons?

A. There was nothing stored in the area or anything that should have been in the area except what might have been brought in for the express intent of setting a fire.

Q. Now, Mr. Davies, based upon your inspection and investigation of the scene of the Kansas University Student Union fire and based upon your experience as an investigator into the causes and origins of fires, do you have an opinion as to the origin and cause of the Union fire?

A. Yes, I do have.

Q. Will you state that opinion for us, please?

A. It is my opinion that the fire was deliberately started with the aid of a petroleum product as an accelerant.

Lloyd M. Davies

LLOYD M. DAVIES

STATE OF KANSAS)
) ss
COUNTY OF DOUGLAS)

Subscribed and sworn to before me, a Notary Public, in and for said County and State, this _____ day of July, 1970.

My Commission Expires: _____

_____
Notary Public

LLOYD M. DAVIES

INCIDENTS OF CIVIL DISOBEDIENCE AND ARSON

LLOYD M. DAVIES, of lawful age, being sworn and examined by attorney Paul H. Niewald, deposeth and saith:

Q. State your name for us please.

A. Lloyd M. Davies.

Q. Where do you live, Mr. Davies?

A. My home address is [redacted] Kansas.

Q. What is your present occupation?

A. I am deputy State Fire Marshal for the State of Kansas.

Q. How long have you been serving in that capacity?

A. About 21 years.

Q. Mr. Davies, on the evening of the University of Kansas Student Union Fire of April 20, 1970, were there any other incidents of an unusual nature which you were called in to investigate?

A. Yes, I was called in because of damage that occurred at the Senior High School at 17th & Louisiana at the Administration Building. I was notified about this damage at approximately 9:30 P. M. on April 20, 1970, and discovered that there were three window panes that had been broken with pop bottles or wine bottles and the draperies of one of the windows had been set on fire. This had all occurred at the Administration Building of the high school on the south part of the grounds and after photographing and picking up broken pieces of pop

and wine bottles I proceeded to the high school proper and observed where the fire had occurred to the bulletin board in the main lobby of the high school.

Q. Mr. Davies, I'll hand you what has been marked as Exhibit A and ask you to identify that exhibit.

A. That is a photograph of the damage that occurred when the bottles were thrown through the windows of the Administration Building.

Q. In the course of your investigation at the Lawrence High School, did you learn of difficulties or differing views between various groups at the high school?

A. The investigation at the high school showed that the black students had made certain demands on the Administration and a poll by the enrollment of the high school students had turned these demands down by an overwhelming vote on April 20, 1970. The black group was meeting with the school board in the auditorium just prior to the damage to the Administration Building and again did not obtain a favorable response to their demands and while this meeting was being concluded the windows and the fire started in the Administration Building on the high school campus.

Q. Now as a result of that confrontation were the police called to the scene?

A. Yes, they were in the area.

Q. Now, Mr. Davies, during a period of time preceding the incidents at the Lawrence High School on April 20, 1970, had the

authorities in Lawrence, Kansas, been called on a number of occasions for difficulties at the high school?

A. Yes, there had been daily confrontations at the high school between black and white students which utilized practically all of the police and sheriff's departments to keep things peaceful.

Q. Did this seem to be of a racial nature?

A. I think it very definitely was that the black students felt that they wanted certain things done at the high school that had not been done.

Q. I'll hand you what has been marked as Exhibits B and C and ask you to identify those exhibits.

A. These are photographs taken at times when the authorities in Lawrence were called to the high school preceding the incidents of April 20, 1970, and at times when confrontations were taking place.

Q. Mr. Davies, in addition to the Kansas University Student Union fire that occurred on April 20, 1970, and the incidents at the Lawrence High School on April 20, 1970, were there any other incidents of an unusual nature?

A. Yes. At approximately 11:06 p.m. a fire bombing or set fire of some kind occurred at the Woods Lumber Yard located at 1516 West 6th Street in Lawrence. In this instance, a petroleum product was used to start a pile of flooring material on fire in the yard area.

Q. Mr. Davies, were there any other incidents on April 20, 1970?

A. Yes, at approximately 11:18 p.m. an arson was discovered at Ellsworth Hall at the University of Kansas on the 7th Floor causing minor damage.

Q. Mr. Davies, during a period of time both preceding the Kansas University Student Union Fire and following that fire, were there an unusual number of incidents of fires and bombings?

A. Yes. During a period of two months starting on April 1, 1970, there had been more than fifty incendiary fires of one nature or another in Lawrence and on the campus of the University of Kansas which is extremely out of the ordinary.

Q. Mr. Davies, would you list and give some information concerning the various incidents?

A. Yes.

April 1 — Ramada Inn on West 6th Street, in Lawrence, Kansas, sustained fire damage with suspected arson.

April 1 — At approximately 11:55 p.m., a bombing occurred at the home of [redacted] when a pipe bomb was thrown through the front door window exploding inside. Damage was estimated to be in the area of $700.00.

April 5 — An unexploded fire bomb was found at Strong Hall at the University of Kansas.

April 7 — At approximately 10:43 p.m., several fire bombs were placed under stairwells in Hayworth Hall at the University of Kansas resulting in fire damage.

April 8 — Three fire bombs were thrown at the Health Laboratory, Kansas University, on the south part of the campus. Fortunately, these bombs did not get inside but one of the rooms where the attack was made had a bottle of oxygen as well as petroleum naptha stored in the room which could have resulted in considerable destruction.

April 8 — At approximately 12:29 a.m. a bombing occurred at Anchor Savings & Loan Association at 9th & Ohio Streets, Lawrence, Kansas.

April 11 — At approximately 4:55 a.m. fire was discovered at the Kappa Sigma Fraternity house which was very suspicious and on the border of arson appearances.

April 11 — A trash container fire behind Flint Hall on the campus at approximately the same time as the fraternity house fire.

April 11 — At approximately 10:17 p.m. a set fire to shrubbery on the Campanille site at the University was discovered resulting in several hundred dollars damage.

April 14 — An arson fire occurred to the three-story building used as a resident apartment house at 1225 Oread owned by [redacted]

April 15 — An arson fire occurred to the Gambles Department Store, 930 Massachusetts Street, in Downtown Lawrence, resulting in extensive damage reported to be in the approximate amount of $200,000. Several witnesses observed two subjects behind the store in the alleyway throwing an object in through the building breaking the glass and resulting in fire. In the course of the investigation we did discover remains of a broken Coke bottle which is a common method used of making a fire bomb. I am attaching here Exhibits 1 and 2 which are photographs taken of the fighting of the Gambles fire and the evidence of destruction.

April 18 — As a result of arson fire to Gambles Department Store, adjacent property owned by Fred Sutton & Co., operating a firm called Audiotronics, sustained damage approximating $20,000.

April 18 — Two bottles containing wicks and gasoline were discovered at the Ship-Winter Chevrolet Garage which is located one block east of Main Street in Lawrence.

April 18 — Two pipe bombs and a container of powder were discovered near 1247 Ohio Street, Lawrence, Kansas, with no damage. These pipe bombs were made of a gas pipe nipple 6 inches long, threaded on both ends and capped. There was a small hole drilled in the threaded end of one of the nipples with a wick protruding from the side of the pipe and with the pipe being filled with rifle powder. These bombs were identical to the type found at the bombings of the home of [redacted] and the Anchor Savings and Loan Company.

April 20 — University of Kansas Student Union Fire caused by arson with damages of approximately $1 Million.

April 20 — Breaking of windows and fire at Lawrence High School.

April 20 — Arson fire at Woods Lumber Company.

April 20 — Arson was discovered at approximately 11:18 p.m., on the 7th Floor at Ellsworth Hall resulting in minor damage.

April 21 — A fire bombing occurred in the 1300 block on Tennessee.

April 21 — Vacant school building at 7th & Lincoln in the Northeast part of Lawrence was deliberately set on fire.

April 21 — Arson fire to the home located at 1225 Oread Street.

April 21 — Suspected arson at 1241 Oread Street.

April 21 — Suspected arson at 1301 and 1303 Ohio Streets.

April 22 — An arson fire occurred to the residence at 1225 Oread Street.

April 22 — Fire bomb was thrown in the basement of a vacant house located at 946 Ohio Street.

April 22 — At approximately 9:15 p.m. a garage was set on fire at 1301 Ohio Street causing its total destruction in the approximate amount of $1,200.

April 23 — At approximately 12:54 a.m. an arson occurred at the Military Science Building at Kansas University resulting in approximately $250.00 damage.

April 23 — At approximately 1:23 a.m. unknown persons had set a fire in the trash container at the rear of the building with no damage to the building.

April 23 — At approximately 1:35 a.m. another fire started at Strong Hall in a trash container.

April 23 — At approximately 11:23 a.m. an arson fire occurred at 1546 Rhode Island Street through the use of a fire bomb.

April 23 — At approximately 5:33 p.m. a fire occurred at the Army Surplus Store at 740 Massachusetts Street in

Downtown Lawrence where cigarettes had deliberately been left in among stock on displays.

April 23 — At approximately 9:07 p.m., a fire bombing occurred at the Rogers Electric Company. Our investigation disclosed that a wine bottle with a flammable liquid in it with an odor similar to gasoline with a kotex wrapped to the outside of the bottle and secured with an electrician's black tape had been dropped in the alley behind the building. The fire had started from a window through the alleyside and one of the owners standing guard observed two black subjects running up the alley after the fire started. The amount of the loss was approximately $12,000 to the building and $10,000 to the contents.

April 23 — Fire bombing occurred at Brooks Beverage Store, located at 715 New Jersey.

April 24 — At 12:31 a.m., arson fire on third floor at 1546 Rhode Island.

April 24 — Fire that appeared to be incendiary in nature was discovered at 1144 Louisiana which is a fraternity house.

April 24 — At approximately 2:43 p.m., a fire of incendiary nature was discovered at 1225 Oread.

April 24 — At 4:19 p.m., an arson occurred at Strong Hall at the University of Kansas when the curtain on the stage was set on fire with an approximate loss of $500.00.

May 7 — At 1:07 a.m., a fire was started at the side door of the New York Cleaner Rug Division at 925 New Hampshire Street which is across the alley from Gambles Department Store which had previously been bombed. We discovered a remaining bottle of a fire bomb type and witnesses observed a number of hippies in a black panel truck in the area 10 to 15 minutes prior to discovery of the fire.

May 8 — A fire of apparent arson nature was discovered at 1144 Louisiana at the fraternity house.

May 12 — At approximately 10:14 p.m., a powder bomb explosion occurred at the Anchor Savings & Loan Company, 9th & Ohio Street, causing estimated damage of $10,000.00 to the building and several thousand dollars to the contents. In the course of investigation remains of a black powder were discovered on the white brick as well as metal from the explosion to the desk and office equipment. The concrete floor where the bomb appeared to have been set was severely pulverized and we discovered pieces of what appeared to be an attache case and other pieces of this attache case appeared to be spread all over the area.

May 14 — At 12:15 a.m., a bombing occurred when an unknown person threw a pipe bomb at the front window of the County Attorney's residence in Lawrence, Kansas, and the bomb used in this attempt was similar in size to that used at the Anchor Savings & Loan Association bombing.

May 19 — Trash fires were reported at 1509 West Campus.

May 21 — Fire was discovered outside the basement window to the pool room at the fraternity house at 1144 Louisiana.

May 22 — A series of three fires on the third floor of the fraternity house at 1144 Louisiana were discovered.

May 30 — At 9:30 p.m., fire was discovered at 1515 Rhode Island where wooden matches were located in the basement area.

May 31 — At 2:52 a.m., fire was discovered at the Pippert Brothers storage building at 10th & New Jersey in which it is our opinion that it was fire bombed. There was no electricity or heating in the building and yet the whole front end was burned out when the fire trucks arrived.

Q. Mr. Davies, from the number of these incidents and your investigation, in your best judgment and opinion does there appear to be a plan of setting fires or of general disruption and disobedience.

A. Yes. It is my opinion that it is concentrated on the University Campus and that a number of incidents have occurred in the downtown area to add to the disruption. In addition to the fires and bombings that we know of, there have been a number of false alarms and other incidents where bombs or inflammables were discovered which had not caused damage.

Q. As a result of your investigation, do you have an opinion that this widespread damage and intentionally set fires were caused by any particular group of individuals?

A. I believe that both the black militants and white activists have been involved in these fires.

Q. Mr. Davies, in the two month period of time covered by these fires and arsons, have there been any general feeling within the Lawrence Community and the University Community of turmoil and disruption?

A. There very definitely has been disruption and apprehension of impending additional damage by bombing and fires.

Q. As a result of these occurrences and in particular the fire that occurred to the University Student Union, was it necessary for the Mayor of the City of Lawrence and for the Governor of the State of Kansas to issue any proclamations or curfews?

A. Yes, it was with the curfew lasting approximately three nights and with the activation of the National Guard into the City of Lawrence.

Q. As a result of these incidents, was there tension and hostility existing on the campus and throughout the community?

A. Yes, it was apparent as I conducted my investigation and observed these attitudes from living in Lawrence, Kansas.

LLOYD M. DAVIES

STATE OF KANSAS)
) ss
COUNTY OF DOUGLAS)

Subscribed and sworn to before me, a Notary Public, in and for said County and State, this _____ day of July, 1970.

Notary Public

My Commission Expires:

_____

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL INSURANCE ADMINISTRATION
WASHINGTON, D. C. 20410

DEC 11 10 13 AM '70
FIRE MARSHAL DEPT.

IN REPLY REFER TO:

DEC 8 1970

Mr. Lloyd M. Davies
Deputy State Fire Marshal
State of Kansas
Topeka, Kansas 66603

Dear Mr. Davies:

I want to take this opportunity to thank you for the exceptionally useful information you provided to Mr. Bernard V. Parrette of our General Counsel's office on November 30, concerning the fire losses to the University of Kansas Student Union, the Gamble Store in downtown Lawrence, and the Manhattan Country Club.

On the basis of this information, taken together with the information already in our file, we have today approved a claim by the Crum and Forster Insurance Companies of New York for Federal riot reinsurance reimbursement in connection with the Student Union fire in the amount of approximately $900,000.

Since we may have occasion to call upon you again in the future for similar information, we wanted to let you know how helpful your assistance was to us in this case, and we thank you again for your cooperation.

Sincerely,

George K. Bernstein
Federal Insurance
Administrator

Nov 24 9 47 AM '71
FIRE MARSHAL DEPT.

STATEMENT

OF

[redacted]

Taken at The Kansas
State Penitentiary
at Lansing, Kansas

August 3, 1971

Concerning a fire at the
K.U. Union at Lawrence, Kansas
on April 20, 1970

The statement of [redacted] was taken in a room at the Kansas State Penitentiary, Lansing, Kansas, on the 3rd day of August, 1971.

Present during the taking of the statement were John Mike Elwell, County Attorney, Douglas County, Lawrence, Kansas; James Woods, K.B.I.; Alvin Dewey, K.B.I.; Tom Lyons, K.B.I.; and William J. Halleran, Official Court Reporter, 7th Judicial District, Lawrence, Kansas.

MR. ELWELL: First of all let the record show that this is an interview with [redacted] We are here at the Kansas State Penitentiary at Lansing, and the persons present would be Alvin Dewey, K.B.I.; James Woods, K.B.I.; Tom Lyons, K.B.I.; and my name is Mike Elwell and I am the County Attorney of Douglas County at Lawrence, Kansas. The Court Reporter is Bill Halleran.

[redacted]

QUESTIONS BY MR. ELWELL:

Q To begin with [redacted] you understand why you are here today, is that right?

A Yes.

Q You also should be advised at this time concerning any

statement that you care to make which would be related to any knowledge on your part of the fire that took place in the Kansas Union Building at Lawrence, Kansas on April 20, 1970, that any information that you give at this time would not be used against you as a basis for any prosecution, and that any statement, should you give one, would have to be voluntary. I cannot promise you anything as to what will happen with respect to the present sentence that you are on. I think it could be considered, but I can't promise you anything. You understand that?

A Yes.

Q How long have you been here at this time?

A It will be a week tomorrow.

Q What is the present sentence you are on?

A Four to twenty.

Q For what?

A Three escapes and a credit card.

Q All right. And from what county?

A Scott County.

Q Kansas?

A Right.

Q How old are you at this time?

A [redacted]

Q Calling your attention to May 20, 1970, I will ask where you were living at that time?

A May 20?

Q Yes.

A [redacted]

Q How long did you live there?

A Probably five or six months.

Q Was that an apartment house?

A Yes, It's a commune. [redacted]

Q [redacted]

A Ya.

Q Who was residing in the house at that time?

A Just a bunch of freaks, me and my old lady and the kid, and some other people.

Q Let's go through the persons by name.

A Okay.

Q What is your wife's name?

A [redacted]

Q Any middle initial?

A [redacted]

Q Are you still married?

A Right.

Q Where is her present address?

A [redacted]

Q You indicated you had a child?

A Right.

Q How old?

A Seven.

Q Male or female?

A Male.

Q Is the child living with your wife?

A Yes.

Q What is the child's name?

A [redacted]

Q Now as to the house itself, will you tell us how many rooms there are?

A Upstairs is a dude and two chicks living up there, and then there was two chicks living across the hall, and another chick living way up on the top.

Q Was this a two story house or three story?

A Two stories with a basement.

Q What part were you living in?

A The basement.

Q Was it just you in the basement and your wife?

A Yes.

Q On the first floor, let's go through piece by piece. Who was there?

A This dude and two chicks. I don't know what their names was.

Q First names?

A I can't remember.

Q Colored or white?

A Whites.

Q All of them?

A Yes.

Q Did they have a car for transportation?

A Yes. The dude had a bike. And the chicks, I know one chick was from Johnson County, and the other was from out of state.

Q Describe the white male.

A [redacted].

Q What color hair?

A [redacted]

Q Did he wear glasses?

A [redacted] That's about the best description I am giving you.

Q What did you call him when you saw him?

A I knew his name, but I forget it now. It was a short name [redacted]

Q Was he in school?

A Yes, he was in school.

Q Do you know what field he was in?

A No.

Q Do you know what year in school he was?

A No.

Q Did he have a phone?

A Yes.

Q And he rode a bike. Now are you saying a bike or a motorcycle?

A Bike, motorcycle.

Q What kind?

A I think it was a Suzuki.

Q Do you know what cc's?

A No, it was a little one.

Q What?

A It was a small one.

Q Do you know what color it was?

A Silver.

Q All right. Now let's go with the girls here. Were they living with him?

A Yes. I imagine they were, they were always there, you know.

Q Describe one of them.

A [redacted]

[redacted]

Q Was she in school?

A Yes, I think so. She was a chick from Johnson County, she drove a yellow car, I forget what kind.

Q Was it a new car?

A Yes, fairly new, '67 or '68 model.

Q Was this a convertible?

A No. Two-door hardtop, solid yellow.

Q Do you know if it was a Chevy or what?
A I don't remember the make of the car.
Q Did it have a Johnson County tag on it?
A Yes.
Q All right. Anything else about her? Did this girl wear glasses?
A [redacted]
Q How old was she?
A [redacted]
Q Anything else distinctive about her appearance, scars or anything like that?
A No. Not that I knew of. [redacted]
Q Did she go with the dude, or did both of them go with him?
A They was just living there, I seen them sometimes together and sometimes by themselves.
Q Was she still there when you left?
A I don't remember because like I was out in western Kansas and we was other places over in Illinois and rented a whole house for the summer, you know, and we--, or I didn't never--, my old lady did, and she moved all the stuff up there.
Q Would your wife be more inclined to remember who the girl was, or have more of an opportunity to talk to her?
A Yes.
Q Describe the other girl.

A [redacted]

[redacted]

Q What color hair?

A [redacted]

Q Wear glasses?

A [redacted]

Q Was she in school?

A Yes, she was a straight person.

Q Did she have a car?

A Yes.

Q What kind of a car did she have?

A I think it was a Kadett, a yellow Kadett with black stripes on it.

Q An Opel?

A Yes.

Q Is that what it is?

A Yes.

Q And do you know where she was from?

A No.

Q Did you ever pay any attention to the color of the license plate?

A No.

Q Or anything like that?

A No.

Q Did she have a job anywhere?

A I don't know.

Q Did the other girl have a job anywhere in town?

A Not that I know of.

Q Or the dude you spoke of, did he have a job?

A No.

Q Now what was up on the--, were these all the people on the first floor?

A Yes, I think so. There was another apartment up there, but I don't remember if anybody was living in there or not.

Q Do you know who owns the apartment?

A Yes. [redacted]

Q Who was paying the rent, how did you pay the rent?

A Paid it to him.

Q Did you each pay individually?

A Yes.

Q Who was up on the next floor?

A Some chick, she was a cat freak, she had about 15 cats.

Q You mean colored males?

A No. I am talking about four-legged ones with a tail, real cats.

Q What did she look like?

A [redacted]

Q Weight?

A Yes.

Q I said weight.

A [redacted]

Q Wear glasses?

A [redacted]

Q Do you know if she was in school?

A I think she was a student.

Q And her approximate age?

A In her [redacted]

Q Did she have a car?

A I think she had a VW.

Q Do you remember what color it was?

A Not for sure.

Q Anything else about her that you remember?

A No.

Q Was she going with this guy downstairs, or anybody that you knew?

A No. I wouldn't never see anybody around there. Every time I seen her she was by herself.

Q Did she have a job do you know?

A Not that I know of.

Q Did she have any one place that she usually would hang out?

A No, I wasn't that familiar with her.

Q How long did you live at that house?

A Five or six months.

Q When did you move?

A I think in December of '69, or January of '70.

Q What was your reason for coming to Lawrence?

A I was on parole and I just come back to Lawrence, got out of jail in [redacted] and still couldn't stay around there.

Q Did this violate your parole to come to Lawrence?

A No, I was on parole in Lawrence. I believe from Lawrence. And I went to [redacted] and got busted there and came back to Lawrence.

Q Did you ever hold a job while you were there?

A Yes.

Q Where did you work?

A Construction, I worked for [redacted] for a couple of weeks, and worked for the University for awhile.

Q K.U.? What department?

A [redacted]

Q Did you use your correct name in applying for your jobs?

A Yes.

Q About what period where you working for [redacted]

A I think it was the spring of '69.

Q When did you work for K.U.?

A About the same time, a little bit afterwards. It might have been the spring of '68. I think that was when it was, the spring of '68.

Q What buildings specifically were you assigned to?

A I wasn't assigned to none of them, I roamed all over the campus.

Q During the period when you moved back after you had been to [redacted], is that where you said?

A [redacted]

Q [redacted]

A Yes.

Q Did your wife move back with you at the same time?

A Yes.

Q And did you have a car at that time yourself?

A Yes.

Q What kind of a car did you have?

A When I left Lawrence I had a '69 Camaro, and when I came back I had a '70 GTO.

Q What color?

A Two-tone gold.

Q Did you ever go by a nickname while you were in school?

A In school? I was never in school.

Q While at the University?

A No.

Q In Lawrence?

A No.

Q Never had a name that everybody would call you?

A Just [redacted]

Q [redacted]

A Yes.

Q Who were your friends while you were there?

A I had a lot of friends there.

Q Who were your best friends?

A [redacted]

Q [redacted]

A Yes. A lot of people out there, you know, I can't remember them all.

Q Now going to the 20th of May which was a Monday. Let's start with the morning of that day, can you tell us where you were and what you were doing?

A Yes. At best I remember I didn't get up until probably two or three in the afternoon.

MR. ELWELL: I think I said "May", and I want to correct the record. Any reference that I have made to May should have been April. April 20th.

Q Now okay, go ahead, I am sorry to interrupt.

A I probably got up about two or three in the afternoon, and like I went to the Chalk and stayed there for awhile and ended up over on Louisiana in a commune over there, [redacted]

[redacted]

Q What hundred block?

A 1100.

Q You said [redacted]

A Yes.

Q Is it on the corner there?

A [redacted]

Q [redacted]

A [redacted]

Q Which side of the street is it?

A [redacted]

Q What is it made of, stucco, wood, or brick?

A I think it's [redacted]

Q Did you go over there with anybody, or by yourself?

A I went over by myself.

Q Who was there when you went in?

A Just the regular dudes that live there. I don't remember who all was there.

Q Do you remember anybody there?

A Yes. [redacted]

Q [redacted]

A I think [redacted] was over there too. And some colored dudes were there. There were some "spades" and a dude named [redacted]

Q [redacted]

A Yes.

Q You're not talking about a colored boy there, are you?

A No.

Q What does [redacted] look like?

A He is about [redacted] got [redacted] hair.

Q Heavy build or fairly slim?

A Thin dude. I think they had him busted in Lawrence once.
Q Do you know his last name?
A No. I just know him by [redacted]
Q Does he have a motorcycle?
A Yes.
Q And he was there when you were over there that afternoon?
A Yes.
Q Do you know if that was [redacted]
A I never heard his last name. He drives a green 650 Honda.
Q What did you do while you were there?
A We just sat around and smoked some grass and hash.
Q Who furnished that?
A I don't know. Somebody had it up there.
Q Who all was smoking the grass and hashish?
A There was six or eight of us sitting around there smoking.
Q How long did this last?
A We must have sit around an hour or an hour and a half, maybe two hours.
Q Then what did you do?
A Me and [redacted] split up to the Chalk.
Q How did you go, walk?
A Yes.
Q About what time was that?
A I don't know, early in the evening, maybe four or five o'clock, something like that.

Q Did you see anybody at the Chalk when you went back up there?

A Just the regular dudes that always hang out in there.

Q Was there anything significant that was being talked about at that time?

A No.

Q Anything happened that people were upset about or anything like that?

A I mean, you know, there is always talking at the Chalk, you know. There was nothing I can remember that was said in the Chalk.

Q Okay. In other words there hadn't been any disturbances prior to that time that caused everybody to be kind of stirred up?

A Yes, they were stirred up. I don't know if at that time, I can't remember, you know. All through that two or three weeks, you know, people had shit all up in the air.

Q How long did you stay at the Chalk?

A I don't remember how long, but eventually we split over to the lake on the campus, Potter's Lake.

Q Who did you go over there with?

A Me and [redacted] and this chick, I don't remember her name.

Q What did she look like?

A She is kind of short, I think her first name is [redacted] I believe that was what she told me. She was short, probably

[redacted] probably weighed [redacted] She didn't wear [redacted], and she had [redacted] hair.

Q Long hair?

A [redacted]

Q How old was she?

A [redacted]

Q And was she in high school?

A I think she was a run-a-way.

Q Do you know where she was running away from?

A No.

Q Any idea?

A No.

Q Had she been around the area quite a while, or just drifted in?

A Yes, I think she just come in there. I didn't see her around too much. I seen her around for a few weeks, and then she split.

Q Any idea where she went?

A No. I just never did see her again after that two or three weeks.

Q Where was she staying when she was here?

A I think over on some place on [redacted] probably in the 1700 block or 1600 block, no, it wasn't that far down, it was in the 1300 block.

Q Okay. What did you do once you got to Potter's Lake?

A Sat there and smoked some grass.

Q And did she smoke some grass with you?

A Yes.

Q And did [redacted] smoke some grass?

A Yes. We all smoked some.

Q How long did you stay there?

A We didn't stay there too long. I imagine--, I don't remember. An hour or so maybe.

Q How long had you known this [redacted] at that time?

A Well I met him since moving in the house at [redacted]

Q How old is he?

A [redacted] is probably in his [redacted] He might not be that old. He rides a bike, or used to.

Q What kind of a bike?

A Kawasaki.

Q Was he living there at the apartment?

A The apartment I lived in?

Q Yes.

A No.

Q Where was he living at that time?

A I don't know if he was living on Louisiana or just crashing all over, you know. That is where I usually seen him, up there on Louisiana.

Q Was he going to school?

A I don't know if he was a student or not.

Q What was he doing?

A Selling dope.

Q What was he selling?

A Dope.

Q What?

A Everything. You know, sell what you can get your hands on.

Q What was [redacted] selling?

A Acid and speed. He wasn't selling hard drugs that I knew of.

Q What kind of a category would you put him in, a little dealer or a medium size dealer?

A He could get you what you wanted.

Q He could get you what you wanted?

A Yes.

Q Who were his best friends?

A I don't know.

Q Who did he run around with most of the time?

A Most I seen him with was a dude who drove a '62 or '63 Chevy panel truck, a white one.

Q What was his first name?

A I don't remember.

Q Do you know where he was from?

A I think he was from Omaha.

MR. LEONS: Was this a Corvair panel?

A No.

MR. LYONS: The engine in front?

A Yes. I think it was about a '56. I think that was about the model. It was kind of rusted out.

Q Where did you usually see the truck parked?

A They come over to the place to pick up some dope, I would see them up at the Chalk.

Q Never used a first name or anything?

A Yes, I knew his first name, but I can't remember it.

Q Ever seen him since then?

A Yes. I seen him up until the time I left Lawrence.

Q Which was how long ago?

A May, '70.

Q Where was he staying then?

A I don't remember.

Q Where did you see him?

A I seen him up at the Chalk.

Q It was before the Chalk had been shut down?

A Yes.

Q Were there any markings on this panel truck, any stripes or flowers or anything like that?

A No. It was just rusted out a lot, you know.

Q It wasn't a Volkswagon?

A No, it was a panel truck.

MR. LYONS: It was a Chevy with the engine in front.

Q You don't know where this guy lived or who he stayed with?

A No. He told me he lived with three or four spades and another white dude somewhere, but I don't remember. He told me where it was at, but I don't remember.

Q How old would you say he was?

A [redacted]

Q Now where did you go after you left Potter's Lake?

A Went back up to the Chalk.

Q What did you do there?

A Sat around and drank some cokes or ate something, I don't know. Walked around.

Q Were you still high at that time?

A Yes.

Q How long did you stay there?

A I don't know. I split back to the house. I don't know what time it was. I stayed there for awhile and come back up to the Chalk.

Q Did you go by yourself back to the house?

A Yes.

Q Talk to your wife?

A Yes. I guess she was there.

Q Your wife know all about this?

A Yes. She knows just what I told her.

Q Now when you went back down to the Chalk the next time, do you know what time that would have been?

A I don't know, maybe it was starting to get dark when I went

up there, it was getting dark.

Q How did you get back there, walk?

A Yes.

Q Did you see anybody you knew at that time when you went to the Chalk?

A I don't remember seeing nobody. I probably did.

Q How long did you stay there?

A I don't know. I sat around for awhile. I don't remember how long it was.

Q Then what did you do?

A Me and [redacted] split over to a place, straight down the street on Oread.

Q Are you talking about going south when you say "down the street"?

A Yes, from the Chalk.

Q All right. What house?

A The one they burned down.

Q The white house?

A Yes. Riverside Country Club.

Q What did you do once you got to the white house?

A We went back behind it.

Q You and [redacted]?

A Yes.

Q Was anybody else with you at that time?

A No. Some freaks out front.

Q What did you do behind the house?

A I don't know. He got something back there, I don't know what it was.

Q What was the purpose of going behind the house?

A I don't know. He had it stashed back there or something.

Q What did you see?

A Just a bag, you know, like a shopping bag.

Q And where did he get the shopping bag?

A From behind there.

Q Where was it behind the house, which end?

A It would be on the south. I would say more to the south.

Q Was it concealed in any way?

A No, it was just a brown bag. I never seen what was in it.

Q Was it dark at this time?

A I don't remember if it was dark or not now. Probably it was because it was getting pretty late when we went to the Chalk.

Q Was there any conversation as you went back behind the house?

A No. I mean there was conversation, but nothing pertaining to the burning or nothing.

Q Now why did you accompany him behind the house?

A He just said "Let's split" from the Chalk, so we split.

Q Who carried the bag?

A [redacted] did.

Q Do you remember which hand he carried it in, or how he was carrying it?

A I don't remember. Seems to me like he was carrying it in front of him, but I don't know if he was or not. You see when we were over to Potter's Lake that afternoon he made a crack about burning the student union, and I said "Fuck man, go to the military science or R.O.T.C. or somewhere."

Q Who did he say that in front of?

A Me and the two chicks who was over there.

Q Can you recall the specific words he said?

A No, he just said something about burning it, "Get some shit started". I told him "I dig getting shit started. But if you want to burn something, get the military science building."

Q Did you have any other conversation about the union building at that time?

A No. I was rapping to him about some dude throwed some bomb at the military science that didn't go off, and the fire marshal got me right on the other side of it.

MR. WOODS: Do you know who threw that bomb there, [redacted]?

A No.

MR. WOODS: What?

A No.

Q All right. Now did the girls say anything about starting

fires?

A Not that I recall.

Q Now when he picked the sack up, were you able to hear anything?

A I was kind of twisted in a way, you know, I wasn't paying that much attention.

Q Did you think it had any kind of liquid in it?

A No. I thought there might be some dope in it is what I thought, but I didn't know.

Q Where did you go after you picked up the sack, which side of the house did you come out on?

A We come out on the same side we went in, on the east side.

Q You said you went behind the house?

A Yes.

Q Clear to the back on the west side?

A Yes.

Q The west end?

A Yes.

Q Then when you came back around, did you come back on the south side of the house?

A No. On the north side.

Q The north side?

A Yes.

Q Were there still people around in front?

A Yes. The same people that were there when we went in.

Q Did you see any of those persons that you knew?

A Yes. There were people I knew there, you know, but people that lived in the house, or used to live there.

Q Do you know any of them by name?

A I can't remember this guy's name, but he was the one I can tell mostly in that house. You guys sent him down to "Hutch" on a bust from Lawrence. I can't remember his name.

Q On drugs?

A Yes, on drugs.

MR. WOODS: [redacted]?

A No.

MR. LYONS: You were dealing pretty big while you were there in Lawrence.

A Tell all about me.

MR. WOODS: That was what you were doing, you were dealing.

A Yes.

MR. WOODS: You were selling to him.

A I was selling and buying from him.

MR. WOODS: You were selling and buying from him?

A Yes.

Q (By Mr. Elwell) What did he take a bust on, what type of drugs? Do you know?

A [redacted] was the guy's name.

Q [redacted]?
A Yes.
Q That was quite a while back then?
A Yes. I think he was one of the people that was out there.
Q All right. Did you talk to him or say anything to him?
A No. We didn't speak to none of them. Well regular bull shit, but we didn't get no rap with him.
Q Was [redacted] still hanging on to this sack at that time?
A Yes.
Q Did he try to conceal it in any way?
A Well I think he tried to conceal it, but you know, as far as putting his arm over it, if that is concealing it.
Q How big a sack are we talking about?
A You know, a regular shopping bag that is used. About that big and this high. (Indicating) But it wasn't that big when he got it, it was like, you knew, folded up.
Q Okay. How long did you stay in front of the house?
A We didn't stop, you know, we may have just paused, but as far as I remember we just come up from the side of the house and split on up the street.
Q Which way up the street did you go?
A Toward the student union.
Q What conversation did the two of you have at that time?
A None that I remember.
Q Why were you following him up to the student union?

A I wasn't following him, I was walking with him.

Q Well, why?

A He said "Let's split from the Chalk", you know, I didn't have nothing else to do.

Q What did you do from that point?

A We split up to the student union and went in.

Q Which door did you go in?

A From the door on Oread Street there.

Q The main entrance?

A Yes.

Q Were there many people around at that time?

A Not that I remember.

Q Do you remember if the door was opened or closed?

A It was open.

Q Where did you go once you entered the building?

A Well I went in the lobby right off to the left, and [redacted] walked toward the downstairs and the upstairs stairs, and the next time I seen [redacted] he was up on the second floor, you know, like coming in the main entrance and stairs go down and up and there is a landing on the other stairs. The next time I seen him I was on the landing and he was on the top of the stairs coming from the hallway.

Q Now the hallway in which direction?

A Well he would be coming from the south. I mean the north.

Q He was heading north coming----

A (Interrupting) No. He was coming from the north. Do you know what I am talking about?

Q I think maybe we better use a diagram.

MR. WOODS: Wait a minute, I have a floor plan here. (Handed to Mr. Elwell)

Q Let's refer to this as an exhibit and trace your path as you came in.

MR. WOODS: This is north up here, Lee. (Indicating)

A Is this the main entrance here?

MR. WOODS: Right here. (Indicating)

A All right.

Q This is where the candy bars are, and the clock and telephone is over here, and the lounge area is here. (Indicating)

MR. WOODS: These are the stairs you were talking about, and the men's john is there and the elevator is next to it. (Indicating)

A Yes. We come in this door here, walked down Oread.

Q Mark your path with a solid line, and where [redacted] went with a dotted line.

A Okay. I went right here into this lounge area.

MR. WOODS: The t.v. is there.

A Yes. A bunch of chairs and a partition through here. So we went like this, you know, we split up. He was going toward these stairs here, and the next time I seen the dude was--, he must have went like this, that is down.

Q Went on up the stairs?

A Yes. And then this comes up here like this--.

MR. LYONS: There is a second-floor plan there. Turn it over to the second-floor plan.

A Okay.

MR. WOODS: He would be back in here? (Indicating)

A Right here. Let's see, where are the stairs at?

MR. WOODS: Right there. (Indicating)

A He was at the top of the stairs, you know, and I was at the landing from him.

MR. WOODS: Let me see if we are talking about the same place. You go up the stairs from the main floor up about six stairs and the landing.

A Right.

MR. WOODS: You have to turn back to the right and go up about 12 or 15 stairs to the second floor?

A Right.

MR. WOODS: You were on that landing, you were on the first-floor landing?

A Right.

MR. WOODS: And he was up on the second floor itself?

A Right.

MR. WOODS: Okay.

A Like there was a wall. I was coming this way and there was a wall here, and he was coming from the hall this way up at

the top of the stairs coming down.

MR. WOODS: He was coming down the stairs?

A Right.

MR. WOODS: Did you see him before he started down the stairs?

A No. That was the first time I seen him at the top of the stairs.

MR. WOODS: He was starting down the stairs when you first saw him?

A Yes. And he come on down and we walked out.

Q (By Mr. Elwell) Now when he went up the stairs was he carrying anything?

A Well I didn't see if he went up the stairs or down the stairs, you know. He just was going toward the stairs when I went into the lounge.

Q Was he carrying anything though at that time?

A Yes. He had the same sack that he had.

Q All right. Did you ever ask him what was in the sack?

A No, not that I recall.

Q Did he ever tell you what was in the sack?

A Not that I recall, no.

Q Were you curious as to what he was carrying around with him, or did you have some idea?

A I figured like if it was any of my business he would tell me. I knowed it wasn't dope, because if it was dope he

would have tried to sell it to me or he would have told me about it so I could have sold it for him.

Q So the last time when you saw him when you entered the Lounge he was carrying this sack?

A Right.

Q Does [redacted] smoke?

A What? Cigarettes?

Q Yes.

A I don't know.

Q When you were down at Potter's Lake you said you smoked some grass. Who had the matches?

A I don't remember. Somebody always has matches.

Q You don't know whether [redacted] had them or you did or the girl?

A No, I don't remember.

Q Who furnished the grass?

A I had it.

Q Do you know who lit it up?

A No.

Q Now what was your reason for going up to the landing?

A Well I went in the Lounge to look around and see who was in there and everything and rapping to a dude, and I don't know, I stayed there I don't remember how long.

Q Do you know who you were talking to?

A I know the guy, but I can't give you his name. He used to run the shop there right next to it where all the spades

hang out there on Broad.

Q The Sandalwood?

A Yes. He had something to do with that shop.

Q Was his name [redacted] (sp)

A No.

Q [redacted]?

A Yes, [redacted].

Q How long did you talk to [redacted]?

A I don't know, I rapped to him a few minutes.

Q And this is in the downstairs part of the lobby?

A Yes.

MR. WOODS: Let me ask you this. When you and [redacted] went inside, did he say "Wait on me, I'll be back.", or what? How come he goes one way and you stayed there when you had been with him all evening?

A How come I stayed there? Because I seen the dude in the lounge, you know, and he split.

MR. WOODS: There wasn't any conversation like "I am going this way."?

A I am sure there was, you know, but as far as--.

MR. WOODS: He didn't say anything to you about where he was going?

A Well I think I had a general idea, you know.

MR. LYONS: You mean as to what he was going to do?

A Because he mentioned it before, you know.

MR. LYONS: Now really, did you know when you walked in the student union that he was going to torch it? Did you know it?

A No.

MR. LYONS: Did you suspect it?

A Yes, I suspected it. I mean--.

MR. LYONS: Now you have immunity here, you are home free you know.

A Like giving it a passing thought, rushing through your mind. Here you are walking to the student union with a dude carrying a bag and he just talked about it that afternoon, about burning it down, and there was a lot of freaks on the campus at that time, you know.

Q (By Mr. Elwell) Let's go back to what you saw, [redacted] When he was on that landing was [redacted] carrying anything at that time?

A No.

Q How was he dressed?

A He had a pair of bells on. I think kind of maroon color or purple, and one of the zip front shirts on.

Q What color was the shirt, do you know?

A I think it was pink. Pink and blue. I don't remember for sure. He dresses kind of freaky, you know.

Q Didn't have a jacket on or anything like that?

A If he had a jacket on it was a buckskin jacket, the one he

always wears.

Q But you don't remember whether he did or not?

A It seems to me he did, but I don't know, you know. I was always used to seeing him because when I met him it was winter, and all through the winter I knew him, you know.

Q When he came back downstairs he was not carrying anything?

A No.

Q And did he seem to be in any kind of a hurry?

A Well I wouldn't say he was really excited about anything, you know.

Q All right.

A We left the building right then.

Q Okay. Were you able to see anything from where you looked on the landing, see any smoke or hear anything?

A Not that I recall, no. You know, I just looked up to where he was and he was coming down.

MR. LYONS: What did he say to you?

A He said "Let's split", or something like that.

MR. LYONS: Did he say that in an urgent manner so that you would get out of there?

A I don't know if it was urgent, but he said "Let's split".

MR. LYONS: You knew he meant it?

A I wasn't going to stick around there.

MR. LYONS: You knew what had happened?

A Not until later I didn't, no. I had an idea what happened,

but as far as actually knowing the building was burning at that time, I did not.

Q (By Mr. Elwell) All right. Now was [redacted] still down in the lobby when he came back?

A I didn't notice if he was or not. I think after I finished talking to him, we got finished with our rap, he went out the door.

Q Where did you go?

A We went up to the Chalk.

Q Were you able to smell anything on [redacted] clothing?

A Grass probably. I don't know.

Q You didn't notice any odor of any solvent or anything like that?

A No.

Q What did he say as you walked back to the Chalk? What did you talk about?

A He said "There is going to be some action happening pretty quick", as I recall. It was from when we left the student union going back to the Chalk that I actually knew it, you know.

Q Explain how you knew it.

A From the general rap, you know. He told me.

Q What did he tell you?

A He didn't actually tell me until we got to the Chalk, you know, that he set the building on fire. So I sat around

for awhile and I split and went back to the house.

Q How long was it when he told you until the fire trucks started coming up there?

A Well as I recall I think I was at the house when I heard all the trucks, you know. Then a couple of dudes come over to the house, you know, and came in and said "Hey man, the student union building. Let's go up and dig it."

Q Who came in to tell you this?

A I don't remember. I think it was [redacted] and some other dude, but I don't know who it was.

Q Where did you leave [redacted] when you went home?

A At the Chalk.

Q Now let's go back. When you walked out that union door and you were en route to the Chalk, what specific conversation did you have? He didn't have his bag with him. Did you figure out or wonder why you had just been taken up to the union building and left there for awhile and now you were coming back to the Chalk?

A Well I mean it's something, you know, you don't have to have a t.v. program to know what's happening, you know.

Q What words did he speak?

A I can't remember the exact words, you know, but in general he told me that he had got, you know, "the shit taken care of."

Q What did that mean to you at the time?

A It meant to me he burned the building down, or set it on fire.

Q You used the word "action". "There's going to be some action pretty quick".

A Yes.

Q Did he say what kind of action? Did you wonder what he was talking about?

A When the freaks talk about action they are usually talking about smoking or popping some dope, you know. Nothing legal.

Q Did you come back up to see what had happened?

A Yes. Me and whoever come up to the place and told me the building was burning down, we walked up to it.

Q Did you see [redacted] again?

A That night? Yes, I think he came back over to the house. I think it was late in the evening. I don't remember for sure, but I think he come to the house. He was always coming over there smoking dope.

Q Did you leave him with anybody you knew at the Chalk?

A Well everybody, you know, that hangs around the Chalk know everybody.

Q Was he with anybody in particular when you left him?

A No. He was in a booth over there by the pinball machine, you know.

Q Now you say you saw him, he came back to your apartment

later that night?

A Yes.

Q What did he talk about?

A I don't remember for sure exactly what we talked about.

Q There was really only one thing to talk about at that time, wasn't there?

A Well you know, like there ain't nothing for me and him to talk about because he knows that he did it and I know he did it, and we know the building burned down.

Q You went up and saw it. How many people would you say were there?

A There was a bunch of people around there when I was up there. You know, they were taking stuff out of there, you know, the students.

Q This was probably the most significant thing that happened in Lawrence, Kansas for quite a while, wasn't it?

A I would say yes.

Q Now when [redacted] came back you didn't even talk about the fire?

A I don't remember us talking about it, you know. I remember, if I am thinking about the same night, that he did come there.

Q Did you ever discuss it with him?

A Well the most I can remember I discussed it with him was, or mentioned it to him, was this year about April or May, you know, when I was there and got some stuff off him, and

I mentioned it, you know.

Q What did he say then?

A Well, you know, like he acted like that was no big deal and he didn't want to get in any rap about it, and he cautioned me about it if anybody knew about it.

Q Specifically what did he say?

A Well like I said, I mentioned if they busted anybody on the student union building in a joking way, and he really didn't dig talking about it, and he asked me if anybody knew, he asked me if my old lady knew about it, if I told her, and I said "I told nobody".

MR. LYONS: But you did tell your wife about it.

A No.

MR. LYONS: You didn't tell her about it at all?

A No. She just here recently when I visited her, she asked me about it, she kept asking me about it. The main thing she wanted to know was who it was, you know. I told her, and it kind of surprised her.

Q Well did [redacted] ever describe the act to you? Did he ever tell you about throwing the oil or whatever it was and lighting it off? Did he describe the act to you?

A No. He didn't. I think maybe just once or twice, you know, maybe only once he mentioned that he did set it on fire, you know, probably not in them words, but in a roundabout way.

Q What did he have to start the fire with, do you know? Do you know what he took up there with him?

A No.

Q You don't know what it was in the bag?

A No.

Q But it was, you presume it was, an inflammable liquid? Or do you know it was, or what?

A Well since I know it was no dope since he didn't keep it with him, so I can only assume it was something to start the fire with.

Q Okay, but did it slosh or gurgle or anything like that when you were carrying it around the house and up the steps and to the union, did you ever hear anything like that?

A No, not that I noticed. I wasn't paying any attention.

MR. LYONS: Could you see the outline of a bottle in that bag?

A No. I think I remember it being like round, you know, like something was in there maybe a kilo of grass and wrapped around it, like putting something in a bag and folded the top over and wrap it around.

MR. LYONS: He wasn't carrying it by a handle like you carry a shopping bag?

A No.

Q (By Mr. Elwell) It was a shopping bag wrapped around under his arm?

A Yes.

Q It was bulky round, but you couldn't see the outline of a bottle?

A No. It wasn't perfectly round shape, but--.

MR. WOODS: Like putting a jug in a sack and just wrapping the sack around it?

A Wrap the sack around it.

MR. WOODS: Okay.

MR. LYONS: How big a bottle did it look like?

A Well if it was a bottle, it would have been a pretty big bottle.

MR. LYONS: A gallon bottle?

A Yes. One of those Purex plastic jugs, you know.

Q (By Mr. Elwell) Has [redacted] ever said to you "Are you aware of this reward thing?"

A What?

Q Were you aware of the reward offered for information as to who set fire to the union building?

A Did [redacted] ask me?

Q No. Were you aware of it?

A No. This was the first time I knowed anything about it is right now.

Q Did [redacted] ever caution you "Don't sell me down the river.", or anything like that?

A Yes. At the time when I told you I talked to him in April

or May, you know, well I didn't understand, you know, what he was freaking out so bad about, but now you say there is a reward and I can understand it, you know.

Q When you say he was "freaking out" what do you mean?

A I mentioned it in a joking way about "Hey man, they busted anybody for the student union building?", and he said "I don't want to get in any rap about that shit.", you know. The first words, you know, flipped him out.

Q Have you ever seen [redacted] since then?

A Not that I recall.

Q Has [redacted] ever questioned you about "Did you have anything to do with it?"?

A No.

Q He would have been there right before it happened?

A No, I don't think I seen the guy, you know, like a month after that I split from Lawrence, you know, and I have been fucking up ever since then, been in jail and all these escapes.

MR. DEWEY: [redacted] when you and [redacted] and this chick were out there at Potter's Lake and he mentioned something about burning the student union, did he say why he was going to do it, or what his reason was?

A Well I think he was just--, the way I got it understood, he just wanted to start, you know, start some shit on the campus.

Q Did he say to you why he wanted to do this?

A No, not that I recall any specific reason, you know. I couldn't understand why he wanted to burn the student union.

MR. WOODS: He wasn't mad about the union or getting cheated in there or something like that?

A He never mentioned anything about it.

MR. DEWEY: Do you remember what his exact words were out there at Potter's Lake? Mike may have asked you this, but I didn't get it. I mean as to what he said about burning it.

A Not other than he was fixing to burn it down. He didn't elaborate about it in detail or anything.

Q He just said that he was fixing to burn it down?

A He knew I didn't want to hear that shit, you know, because I said something about the military science and the other building, but he knew I was a rogue and I would do anything.

MR. LYONS: You recommended to him that he burn down the military science building or the R.O.T.C.?

A Yes.

MR. LYONS: You recommended those buildings to him?

A I didn't recommend.

MR. LYONS: You said "If you are going to burn something, why don't you burn those?".

A Yes.

MR. LYONS: But he wasn't interested in those?

A Didn't seem to be.

Q How were you dressed that night?

A I don't remember for sure. Probably a pair of bells and a shirt, and a coat possibly.

MR. WOODS: You and [redacted] were pretty well freaked out when you went to the union?

A Yes, we was pretty well lit.

MR. WOODS: On grass?

A Yes. I dropped some acid before that, and I think he did too. I am not sure, I have no idea.

MR. WOODS: He wasn't freaking too good?

A Yes. I can control those space trips pretty good.

Q (By Mr. Elwell) After this fire how long did you stay in Lawrence?

A Well I stayed there through the disturbance, you know, or part of it.

Q Did you see [redacted] again?

A I am sure I did.

Q Did you talk about this?

A No. Like I say, the only time I can remember talking about it is a bit after the fire coming from the student union building, and like I say in either April or May of this year.

Q At that time though wasn't this being talked about? It was on the front page of the Journal World, the place was all

raped off up there, and you never got together with [redacted] and tried to explain "Let's not get each other in trouble, let's keep quiet."?

A That was the general understanding if you rip something off with somebody, you know.

Q But you never tried to confirm "Let's not be talking about it.", or anything like that?

A Well I guess the guy figured since I was with him that I was just as much in it as he was.

Q What kind of a story do you think [redacted] would tell us if we confronted him with it?

A I wouldn't have the slightest idea what he would tell you.

Q Do you think he would be more involved than what you told us?

A I don't know.

Q Take a shot at it. What do you think? It won't hurt you now.

A I don't know how the guy would act. You know, I think he might just admit guilt, you know, if he thinks you guys have a case on him.

MR. LYONS: Has [redacted] ever been busted?

A I think maybe he has been busted in Lawrence for the disturbance they had at the courthouse that day, throwed some rocks or bombs or something in there, paint maybe. I don't know what it was. I don't know if he got busted.

I think some dude got some photographs down there and a pig was checking him out, you know.

Q But what do you think [redacted] would tell us as far as your involvement, do you think he would try to pin it on you?

A I don't know. I couldn't even guess, you know, what the guy would do.

Q What kind of a personality does he have? What kind of a guy is he? Is he paranoid, easy going?

A He's an easy going dude, he's not paranoid.

Q Does he seem odd in any way? Anything that he does?

A No.

Q Does he have a girlfriend now?

A I am sure he has several around there.

Q Any one girl that he goes with in particular?

A No. He had a chick the last time I was down there that he mentioned, but I don't remember her name. [redacted] or [redacted] or something.

Q [redacted] or who?

A [redacted], or something like that. I just remember it started with a "[redacted]".

Q Where was this when you saw him?

A In a commune up on Louisiana.

Q The [redacted] one that you described?

A Yes.

Q Is [redacted] still there, or [redacted]?

A Yes, I think so. He was there in May or whenever it was I was there. April or May.

MR. LYONS: Lee, who else knows that [redacted] set that fire? Who all knows about it?

A I don't know. I haven't told nobody, you know. He just blowed it off, you know.

MR. LYONS: The only person you told about it besides us is your wife?

A Yes. But I don't know, maybe there are some people that know about it.

Q Who do you think knows that he did it?

A If anybody knows it is the freaks living in that commune, you know. I know if I was the one that set the fire I wouldn't tell nobody especially when there is a reward out.

Q You never heard any rumors when you were there?

A Heard rumors every day, but you don't have any time to listen to rumors when you get stoned.

Q What were the rumors as far as who set it?

A They told me the local pigs in Lawrence set it, the cops, but I didn't believe it anyway.

MR. LYONS: Because you knew better.

A (No response)

Q Do you think [redacted] is the kind of a guy who'd want to take credit for it, be kind of a hero, "I did it, that is my fire."? Or something like that?

A No, I don't. Of course I don't know the guy that well, you know.

Q What kind of dope was he taking the last time you saw him?

A He uses all kinds of dope, everybody does, all kinds of dope.

Q Was it cocaine, heroin?

A I never shot any smack, I did a little coke with him, and every other kind of drug. I have never been on smack with him.

Q How were you taking cocaine?

A Snorting it.

Q Have you seen people shoot it?

A Yes.

Q What is the different sensation between cocaine and heroin?

A Coke's got more speed to it, you know, than smack. Like you do up some coke and man you ball a chick for several hours.

MR. LYONS: With coke?

A Yes. But with smack you're just down and want to stay on the nod.

MR. DEWEY: Is this [redacted] a radical? Is he against the establishment?

A Yes, he's a radical.

MR. DEWEY: Did he talk about that he thought things ought to change up there on the hill, or "Let's cause

some trouble", or what?

A Yes. He was always in something like that. Once he tried to get me to go on to Kentucky or Tennessee or some place there and set a place on fire and when the people get there shoot them. Shit man, he was crazy.

MR. WOODS: Did he do anything else that you know of as far as fires or bombing or shooting at anybody?

A Not that I was around any time.

MR. WOODS: Ever talk about it?

A Yes. There was always talk.

MR. WOODS: I say, did he ever talk about doing anything?

A Just during the disturbance. I think we rapped about it like it was a lot of fun.

Q (By Mr. Elwell) Do you know [redacted]?

A Not by name.

Q You wouldn't recognize him if you saw him?

A I might know the guy, you know, but I don't know him by name.

Q Let's run through the people again that [redacted] ran around with most of the time. Do you consider yourself one of his best friends?

A Yes. Like I used to give him money and he would fly out to L.A. and Denver for me and places like that and pick things up, and he would never rip me off for no dust, money.

Q What would he bring in from there?

A Dope, hash, acid, mescaline, from Boulder. His best friends are still living at the commune, [redacted] and [redacted].

Q [redacted] (sp)

A Yes. Have you guys still got a warrant on him? He told me you did when I last seen him.

MR. WOODS: Was he still there in April when you were there?

A Yes.

MR. WOODS: I don't want him. Uncle Sam wants him.

A Yes.

Q Is he straight or long hair?

A He's got [redacted] and he wears one of those [redacted]

Q Is his sister around there too?

A I don't know. I ain't seen her. I didn't even know he had a sister.

Q [redacted]

A [redacted]

Q Yes.

A Yes.

Q Who else would you say would be his best friend?

A [redacted]

Q Where is [redacted] staying now?

A I don't know. I think he split. I think you will find him up in Canada.

Q Up in Canada?

A He thought he was going to get some time over this bust on the farm, you know, and he told me the last time I seen him that he was fixing to split.

Q What was the last type of drug [redacted] was having?

A I don't understand the question.

Q What kind of drug was he doing the last time you seen him?

A I think--. Was he on, or dealing? Is that what you said?

Q Dealing.

A Dealing?

Q Yes.

A The last time I knowed that he was dealing was some grass. But [redacted] always has some kind of good drugs, he's a candy man.

Q Is [redacted] still with him?

A I don't know. I haven't seen [redacted] since they were at that farm and got busted.

Q Were you scared yourself of getting caught on this fire thing?

A Was I scared of getting caught?

Q Yes.

A No. I am never scared of getting caught, but I don't ever think about it, you know.

Q Did you and [redacted] ever get together to try to work out some kind of an alibi as to why you were there at the union

building in case somebody asked you? [redacted] had seen you. You were smart enough to figure out somebody would come and ask you questions.

A Well [redacted], I don't think he will say nothing to nobody.

Q I imagine you are right. But still did you and [redacted] ever get together and try to explain why you happened to be up there?

A No.

Q You never thought about it?

A I think the only people that saw us up there was some spade dudes and [redacted], I don't think [redacted] seen [redacted].

Q You never tried to work out some kind of a reason why you might be there?

A No.

Q In other words if somebody saw both of you, and each of you came in with a different story as to why you were there, didn't you think of that?

A You can go to the student union anytime you want to, you don't have to have a reason to go in there. Probably the most likely story that I could tell a person would be that I took some dope in there and gave it to somebody. I know they would go for that.

Q What kind of transportation did [redacted] have the last time you saw him?

A He had a bike.

Q No car?

A No. It wasn't his bus. Those other dudes he was living with when he was living on the farm out there.

Q Did you see [redacted] up there looking at the fire at all?

A No. The last time I seen him was at the Chalk, and like I said he came over later that night.

Q You didn't see him in any of the group wandering around looking at the thing?

A No, I didn't stay up there very long. I just wanted to check it out and split back.

Q Did you hear any conversation about starting more fires at the same time while you were up there?

A Yes, there was lots of talking up there.

Q What kind of talking?

A About, you know, starting fires, going on a little rampage.

MR. ELWELL: Does anybody else have any questions?

MR. DEWEY: [redacted] did [redacted] know about this fire up until just recently?

A No, she knew about the fire, you know.

MR. DEWEY: But she didn't know that you knew who set the fire until this Scott City deal?

A Right.

MR. DEWEY: Now when Mike first started talking to you and you were talking about the people that lived in that apartment with you and [redacted], if you would see

photographs of these people could you identify them?

A Oh yes.

MR. DEWEY: And did you say where you were working at that time? If you did, I didn't hear it.

A Working?

MR. DEWEY: Yes. Besides selling.

A No, I didn't have no job. I don't think [redacted] was working either.

MR. DEWEY: But I am still interested, [redacted], in why [redacted] did this. Did he mention this at all? You think he would say "[redacted], I am going to torch that because so and so.", but you don't recall?

A No, I wouldn't know. I don't think that way because he wouldn't have no reason to tell me. The student union isn't nothing to him, it isn't nothing to me.

MR. DEWEY: But I thought maybe he might want a little excitement against the establishment.

A He got a little excitement.

MR. DEWEY: Yes, he got a little excitement. I don't have anything further.

MR. WOODS: I don't have anything.

MR. LYONS: No, that's all for me.

MR. ELWELL: I have a few more.

QUESTIONS BY MR. ELWELL:

Q What about that sack? Did he say how long it had been there?

A No. We didn't have no conversation about that sack. We might have had some conversation about it, but I can't remember.

Q He went directly to it?

A Yes. I mean he knew it was there. He didn't have to look around for it.

MR. WOODS: It was just sitting there on the ground, [redacted].

A Yes.

MR. WOODS: It wasn't on a porch or underneath anything?

A No.

Q It was concealed in a bag?

A Yes. Just a brown shopping bag.

Q And you never had any conversation about matches or anything like that? You didn't have to borrow any matches?

A Not that I remember.

Q What do you think [redacted] would tell us if we confronted him with the fact that he was there that night as to what he saw?

A He would probably tell you he was blind.

Q Do you think [redacted] would substantiate your conversation with him that this actually took place?

A I don't know. I couldn't say what the guy would say, you know.

Q At that time were you just going by the name of [redacted], no

other nickname or anything like that?

A Just [redacted]

Q Did your hair look different?

A Yes, it looked different.

Q What did it look like then?

A [redacted]

Q What length?

A [redacted]

Q Did you have a beard then?

A [redacted]

Q What did [redacted] look like, what length hair did he have?

A [redacted]

Q Did he have a beard then?

A [redacted]

Q [redacted]

A Yes.

MR. WOODS: Did he look about the same when you saw him the first part of this year?

A Yes, about the same.

MR. WOODS: [redacted]

A Yes.

Q Did [redacted] ever dye his hair or anything like that?

A [redacted]

Q Do you know where [redacted] folks live?

A No. I think somebody--, or he told me he was a local resident of Lawrence, but then I couldn't say for sure. I might have just dreamed that one night on a trip.

Q What was [redacted]'s main source of income?

A Dealing.

Q Never had a job while you knew him?

A No.

Q Was he on welfare?

A No, I don't think so.

Q Did you ever consider him dangerous, did he ever pack a gun at all when he was going somewhere?

A I never seen him carry a gun, but there was lots of guns up at the commune.

MR. LYONS: Where did [redacted] keep the stash?

A Kept it in the house where everybody else kept it.

Q Right inside the house?

A Yes.

Q Where in the house?

A In the individual rooms. They got it downstairs and upstairs, and all the upstairs is different bedrooms.

Q Everybody keeps their stash in the rooms?

A Mostly, yes. The police, they never did bust it, they never got any heat on. Well probably they had heat, but they have never been busted.

Q Who is the biggest dealer you know?

A I don't know. I would try to be if I was out there.

Q Is [redacted] dealing?

A Yes. He was the last time I seen him. I bought a kilo of grass from him.

Q How much did you have to pay for it?

A I gave him 175 I think.

MR. LYONS: Was it good stuff?

A Yes. Mexican grass. Then was the keys that [redacted] was dealing.

Q [redacted]?

A Yes.

Q From your knowledge who would you say is operating at the top in the heroin traffic?

A I would guess, and I might be completely wrong, but [redacted] has probably got a pretty good hand in it. [redacted], [redacted], I forget this chick's last name, I think she graduated last year.

MR. WOODS: Is she a skinny chick?

A [redacted] Damn it I can't think of her name. She used to drive an orange Charger, orange and white. Do you know this [redacted] I am talking about?

MR. ELWELL: Yes.

MR. WOODS: I don't know [redacted]. Do you know, Mike?

MR. ELWELL: No.

A [redacted]. That's it.

Q [redacted]?

A Yes.

Q How do you spell that?

A [redacted]. It might be dougle "[redacted]". [redacted] should be listed in the phone book there. [redacted] probably got an unlisted number.

Q [redacted] and [redacted]rm around together?

A They used to. The last time I seen them they said they had some good coke for sale, seven-fifty an ounce. I seen them over to the Gaslight.

MR. LYONS: Seven-fifty an ounce?

A Yes.

MR. LYONS: It's unbelievable.

A You can sell it if you get bean one kilos.

MR. LYONS: It's too cheap.

Q (By Mr. Elwell) Was that [redacted]?

A Yes.

Q [redacted]?

A Yes.

Q Who else would you say would be heavy in the hard drugs?

A I don't know. I just know a spade dealer over there who is. He was a pretty big dealer, him and this dude that plays with [redacted] in the band.

Q [redacted]?

A I don't know his name, [redacted]

[redacted] I don't remember what his name is. They also had a lot of good snack and good coke.

Q He was the [redacted] you mentioned?

A [redacted]

Q [redacted]

A [redacted] He hung around at the Gaslight all the time. Sometimes you would see him in the Chalk. He used to live over on--, maybe Rhode Island, a couple of blocks off Massachusetts. Maybe three blocks. [redacted] I think somewhere around there.

Q Who do you think is making the most money off drugs in Lawrence?

A [redacted] and [redacted] I don't know if they made the most, but they got their share of it.

Q Do you know what [redacted] does with his money, where he has been putting it?

A No, I don't know. There's another big snack dealer living over there on--, you know where Joe's Bakery is on Ninth Street? [redacted] I think it's Indiana, or Mississippi.

Q Is it the 800 block or 900 block?

A [redacted]

Q On the west side or east side?

A [redacted]

Q Do you know what kind of a car he drives?

A I seen it several times, but I don't remember. I know he drove a [redacted] truck or something around, you know, one of them [redacted]

MR. ELWELL: Off the record here a minute.

(At this time a brief discussion was had off the record, after which the following was had to wit):

Q (By Mr. Elwell) How long was [redacted] upstairs before you saw him come back downstairs?

A Well like I say, when he split toward the stairs, well I couldn't tell you if he went downstairs first or went upstairs, but I would say the length of time me and him were separated was around ten minutes, maybe, could have been longer, could have been shorter.

Q All right. When he went to the union, do you have any idea why you were accompanying him there?

A Well I had a good, you know, I didn't know definitely he was going to do it, but I had some kind of an idea that maybe it might happen.

Q Were you going to be a lookout at all?

A I would have, you know.

Q Were you supposed to tell him if anything or anybody was coming up there behind him, or that it didn't look like the

coast was clear? Do you think that might be the story he might give us as far as your part in this?

A I don't doubt it. I would say, like if you get a guy to talk about it that he was going to cop out I imagine, you know, he would throw as much weight on me as he could, you know.

Q What do you think he would throw on you, the lookout idea? That you helped buy the solvent, or anything like that?

A I don't know what he would say.

MR. LYONS: Do you know anything about that, about what the stuff was that he used to start the fire?

A No. I just know it was some chemical.

Q Do you know where he got it?

A No. Other than from behind the house, if that is what he used.

Q But you don't know where he came up with it originally?

A No.

MR. WOODS: How did you know it was a chemical, [redacted]?

A Well I don't know that it was a chemical, you know. I just say that it was an inflammable liquid.

MR. WOODS: Why do you say that?

A I don't know. I just from thinking about it, you know, I just think he started it with--, you have to have something to start a fire.

Q Could have been a candle, couldn't it?

A A candle? Yes. And a firecracker.

MR. WOODS: You know in your own mind, don't you? Isn't that right?

A No. I couldn't say that "Yes, [redacted] started that fire with a chemical.", without it may be a lie, you know.

MR. WOODS: You're just guessing.

A Yes.

MR. LYONS: Did he ever describe any part of the facts to you? Did he ever tell you what he did when he went upstairs?

A Well I don't know if he was talking about upstairs specifically or not, you know, other than he told me he set the fire.

Q He told you that he set the fire?

A He set the building on fire, yes.

Q What word did you use to say that he started the fire?

A Well as I recall, you know, when I said either walking to the Chalk or down at the Chalk he said something like "The shit is going to start pretty quick." He said something like "Well the shit is going to start pretty quick because I really got the mother-fucker going.", or some words like that.

MR. WOODS: He didn't actually come out and say to you "I set fire to the union"?

A I can't recall them words.

Q Or similar words?

A (No audible response)

MR. LYONS: But whatever he said to you, you understood he started the fire, right [redacted]

A Yes. I didn't have to ask him, you know.

MR. LYONS: You weren't really interested in the details, right?

A No.

Q (By Mr. Elwell) Did he have a smell of gasoline on his hands? Did he go and wash his hands anywhere?

A No. We just went in the Chalk, you know, and beat the people were in there, you know.

Q Did you go back to the restroom that way, or anything like that?

A Did he? He went back to the back by the pinball machine, you know, but I don't know.

Q Did he ever say anything about the restroom up at the union, the room he was in? Did he say anything about starting it in the can?

A Yes, I think that is where he did start it, but I don't know if he told me or somebody else told me or what. Somebody on the campus might have said that it was started there, you know. I can't remember him telling me that he started it there.

MR. WOODS: Could you have read it in the papers?

A I don't read straight papers unless it's on a drug bust.

Q (By Mr. Elwell) Do you think that if you were asked these same questions some time in the future that your answers would be the same?

A Pretty close to the same.

Q Is there anything that we may not have asked you that you feel would be important about this? Any other areas that we didn't touch upon?

A I can't think of none.

Q And the statements that you have told us at this time have been the truth, is that right?

A Yes, to the best of my knowledge, yes.

Q And you've answered all the questions truthfully?

A Yes.

Q And you haven't willingly tried to omit anything because it was incriminating toward you?

A I don't think so.

Q In other words it was not your intention of doing anything like that?

A Not intentionally, no.

Q Is there anything that you may have left out that you didn't want to tell us, strictly on the fire?

A I can't think of nothing.

MR. ELWELL: That is all.

END OF STATEMENT OF [redacted]

C E R T I F I C A T E

STATE OF KANSAS)
) ss
COUNTY OF DOUGLAS)

I, William J. Halleran, Certified Shorthand Reporter, do hereby certify that I am the regularly appointed, qualified, and acting Official Reporter for the 7th Judicial District, Douglas County, Kansas, duly certified under and by virtue of the laws of the State of Kansas. I further certify that on the 3rd day of August, 1971, I was present at and reported in stenotype the foregoing statement of [redacted] at the Kansas State Penitentiary at Lansing, Kansas, and the foregoing transcript is a true and correct transcript of the testimony given as revealed by my stenotype notes so taken.

IN TESTIMONY WHEREOF, I have hereunto set my hand and Official Seal at Lawrence, Kansas, this 25th day of August 1971.

Wm. J. Halleran, C.S.R.